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W.P.

ZONING REGULATIONS
PLANNING REGULATION NO. 4
1969

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PLANNING BOARD OF PUERTO RICO, SANTURCE, PUERTO RICO

Z O N I N G

R E G U L A T I O N S

P L A N N I N G R E G U L A T I O N S N O . 4

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of Puerto Rico.

IN TESTIMONY OF WHICH, I sign
this and have it stamped with
the Great Seal of the Free
Associated State of Puerto
Rico, in the city of San Juan,
today, January 7, 1970.

(signed) Luis A. Ferré

Promulgated in accordance with the law, today, January 7, 1970.

(signed) Fernando Chardón
Secretary of State

(stamped)

I certify that this is a faithful
and exact copy of the original as
approved by the Governor of Puerto
Rico. January 7, 1970.

(signed) Juan Rodriguez/illegible
Assistant Secretary of State

INTRODUCTION

Law No. 213 of May 12, 1942, as amended, known as "The Law of Planning and Budget of Puerto Rico" assigned to the Planning Board the responsibility of guiding urban development and conferred on the Board powers to carry out this responsibility, by means of the adoption and application of regulations to guaranty that the development of urban zones would occur in harmony with the needs, the convenience and the well-being of the population that works and lives together in them.

Zoning is the procedure by which the development and growth of cities is guided. For this purpose, by means of zoning maps, there are established in towns or cities and adjacent zones, different districts, each of which is assigned specific uses, such as residential, commercial, industrial, areas to be improved, for public use, and other uses inherent in the life of a community. Within these districts, adequate rules are specified with respect to the use of buildings and other structures, with respect to height and extension of building, density of population, the proportion of the plot on which there may be construction, the size of lots, yards and other free spaces, as well as the placement, the projection in the direction of the street and the size of signs and announcements.

The Zoning Regulations are applicable to the zoned areas of Puerto Rico as established by the Planning Board in Zoning Maps. The Zoning Maps form an integral part of, and have the same regulatory force as, the Zoning Regulations.

In accordance with Law No. 429 of April 23, 1946, as amended,

the Permits Official is the only one authorized to issue building permits and permits for the use of buildings or structures, in harmony with the provisions of these Regulations.

The Zoning Regulations include in their provisions a procedure by which the Planning Board may make concessions to the requirements established in these Regulations and to hold hearings in those cases in which, by the express provisions of the Regulations, the intervention of the Board may be required before the issuance of the pertinent permit.

The Zoning Regulations and their amendments shall go into effect as soon as the procedures of law are complied with.

Any person who violates the provisions of the Regulations shall be guilty of a misdemeanor.

The Law provides that any party directly interested in the issuance or denial of a construction permit, a sanitary permit, or a permit for the use of land or buildings, may present a certified copy of any decisions or actions of the Planning Board or the Permits Official, to be reviewed by the Board of Appeals concerning Construction and Subdivision of Puerto Rico. The period for appeal is limited to thirty (30) days, from the date on which the notification of the decision or agreement was placed in the mail.

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TOPIC 1

GENERAL PROVISIONS AND DEFINITIONS

SECTION 1.00 - GENERAL PROVISIONS

- 1.01 - Title. - This Planning Regulation Number 4 shall be known and cited as the Zoning Regulation.
- 1.02 - Purposes. - This Regulation is adopted in harmony with the mandate of Law No. 213 of May 12, 1942, as amended, and has the purposes of guiding the use and development of lands and buildings to assure and promote, for the present and future inhabitants of Puerto Rico, their health, security, morale, order, convenience, prosperity, economic stability and general well-being.
- 1.03 - Application. - The provisions contained in this Regulation shall apply and cover the zoned areas in Puerto Rico, as established by this Regulation, and shall apply to all persons, natural and legal, as well as to associations, institutions, corporations, societies, organizations and entities, private and public, semi-public or any other class or nature, including "functionaries" and "agencies" of Puerto Rico, as defined in Law Number 213 of May 12, 1942, as amended.
- 1.04 - Effective Date. - This Regulation and the amendments to it shall go into effect as soon as the provisions established by law are complied with.
- 1.05 - Terms Employed. - Any word used in the singular in this Regulation shall be understood to include likewise the plural when its use is justified, and in like manner the

masculine shall include the feminine and vice versa.

- 1.06 - Meaning of Terms Defined. - The terms defined in Section 2.00 of this Regulation, when they are employed for their content and for all the effects of that content, shall have the meaning that is given, as follows, for each term that is mentioned, unless there should be a specific provision to the contrary.
- 1.07 - Provisions of Other Regulations. - The provisions of this Regulation shall be supplemented by Planning Regulation No. 3 (Subdevelopment Regulation), Planning Regulation No. 7 (Construction Regulation), Planning Regulation No. 9 (Regulation concerning Neighborhood Facilities), and any other Planning Regulation adopted by the Board.

SECTION 2.00 - DEFINITIONS

- 2.01 - Access. - Public road that goes to the edge of a lot or property.
- 2.01 - Airport. - An area of land, a body of water, or both, designated or indicated for landing, for descending on water, or the take-off, of aircraft.
- 2.03 - Structural Alterations. - Any change in the structural elements of a building or structure, such as bearing walls, columns, beams and roofs, or any addition, extension, increase or variation in the size of existing elements, or

the construction in the building of new structural elements such as roofs, beams, columns or bearing walls.

2.04 - Building Height. - In buildings with flat roofs it is the vertical distance from the level of the curbing to the level of the highest point of the roof, excluding cornices, ledges or ballustrades; and in buildings with sloping roofs it is the vertical distance from the level of the curbing to the median level of the highest roof of the building. In buildings where both types of roofs are combined, the height is determined from the level of the curbing to the highest roof. When there is no curbing, or when the walls of the building do not align with the road, the height will be measured from the median level of the land along the length of the wall which constitutes the principal facade of the building.

2.05 - Road Width. - The average distance between the borders of a road fronting on a lot.

2.06 - Lot Width. - The median distance between the side lot lines, measured in the general direction followed by the road line and the rear lot line.

2.07 - Gross Floor Area. - The sum of the floor space occupied or used in any building, principal or accessory, including passageways, galleries, balconies, covered terraces, stairways, elevator shafts, basement and wall thickness; excluding cornices, eaves, roofs, projecting open balconies, other architectural features and stairs at the level of the first floor which do not rise more than one (1) meter above ground level.

- 2.08 - Parking Area. - Space dedicated exclusively for the temporary parking of vehicles.
- 2.09 - Occupied Area. - The area included in the horizontal projection of the buildings and accessory buildings including its parts and projecting structures; excluding cornices, eaves, roofs, open projecting balconies, other architectural features and stairs at the level of the first floor which do not rise more than one (1) meter above ground level.
- 2.10 - Zoned Area. - Lands within the zoning limits established on the Zoning Maps adopted by the Board by virtue of Law No. 213 of May 12, 1942, as amended.
- 2.11 - Open Projecting Balcony. - A balcony above or at the level of the second floor, which extends over a road or a yard and which does not have walls, columns, latticework, blinds, or other additions between the floor and the platform, with the exception of ballustrades or railings no more than forty-four (44) inches in height off the floor.
- 2.12 - Apartment Houses. - A building to house three or more families, in separate living units, except row houses as defined in Subsection 2.15 of this Topic.
- 2.13 - One-family House. - A house for one family which does not have any wall in common with any other house.
- 2.14 - Two-family House. - A house for two families, located in separate living units, one beside the other, or one above the other, and which does not have a wall in common with any other house.

- 2.15 - Row House. - A series of two or more independent living units, adjacent and laterally united by party walls, forming one single building.
- 2.16 - Building. - A structure to be permanently or temporarily occupied by persons, animals or properties such as houses, temples, offices, theaters, stores, factories, schools, hospitals, dry good stores or whatever else of a similar nature.
- 2.17 - Accessory Building. - A building separate from the principal building on the same lot, which has one or more accessory uses..
- 2.18 - Mezzanine. - An intermediate floor located on any story or part of the same, whose use corresponds to the permitted activity on that level.
- 2.19 - Structure. - That which is erected, constructed, fixed or sited by the hand of man in or on top of land, or water; and includes without limitations buildings, towers, chimneys and overhead utility lines.
- 2.20 - Family. - A common domestic organization formed by one or more people who occupy or use a building, a property, or part of these with cooking facilities.
- 2.21 - Lot Depth. - The average distance from the roadway to the rear boundary of a lot, measured in the general direction followed by the road line and the rear line of the lot.
- 2.22 - Building Face. - The exterior wall of the principal building which by its length and general character fronts on a road.
- 2.23 - Board. - The Planning Board of Puerto Rico created by Law No.

213 of May 12, 1942, as amended, known as the "Planning and Budgetary Law of Puerto Rico."

- 2.24 - Road Line. - The dividing line between the road and the adjacent lot or property.
- 2.25 - Rear Lot Line. - The lot line opposite to the road line. In a corner lot this line may be chosen by the owner.
- 2.26 - Side Lot Line. - Any dividing lot line which is not the road line or the rear lot line.
- 2.27 - Official Map. - Plans which indicate the exact positions of the roadways as established in Law No. 213 of May 12, 1942, as amended.
- 2.28 - Curbing Level. - The grade line established at the curbing, or where there is no curbing, of the road facing the center point of the lot. When a lot faces on two or more roads of different grade levels, the level of the curbing of the highest road shall be taken as the base for measuring the height of structure and buildings, for a distance thirty (30) meters in depth measured perpendicularly from the road which has the higher curbing towards the rear of the lot.
- 2.29 - Legal Nonconformity. - A condition or use of a property which does not temporize or harmonize with the provisions of this Regulation for the zoning district in which it is located and which existed legally on the effective date of this Regulation, a Zoning Map, an Official Map for the area in which it is located, or the amendments to the same.
- 2.30 - Occupied or Used. - As it applies to any building or property, it should be understood as if followed by the words, "or

proposed or prepared or designed to be occupied or used."

2.31 - Permit Officer. - The Permit Officer created by Law. No. 429 of April 13, 1946, as amended.

2.32 - Front Yard. - An open space, unoccupied or occupied by permitted structures or uses, between the road line and the projection parallel to this of the most adjacent extremity of the building, and which extends to the side lot lines. The depth of this yard is the minimum horizontal distance between the road line and the furthest part of the building located closest to the road. In the Residential Districts, the front yard will be considered any yard or part of the same which adjoins a public way six (6) meters or more in width.

2.33 - Side Yard. - An open space, unoccupied or occupied by permitted structures or uses, between the side lot line and the projection parallel to this of the most adjacent extremity of the building and which extends from the front yard, or in the case where a front yard is not required, from the line of the road, to the rear yard. The width of this yard is the minimum horizontal distance between the side lot line and the extremity of the building located closest to this side lot line.

2.34 - Rear Yard. - An open space, unoccupied or occupied by permitted structures or uses, between the rear lot line and the projection parallel to this of the most adjacent extremity of the building and which extends to the side lot line. The

depth of this yard is the minimum horizontal distance between the rear lot line and the extremity of the building closest to this.

2.35 - Property. - Lot, structure, building, or combination of these.

2.36 - Story. - The part of a building located between the surface of any floor and the next floor above, or between the surface of a floor and the ceiling or flat roof.

A floor in which people live, work, sleep or congregate and whose soffit, ceiling or roof is more than one (1) meter higher than the curbing will be counted as a story. A floor which is less than one (1) meter off the curbing will not be counted in determining the number of floors. Floors which are not used for the abovementioned purposes may be constructed higher than one (1) meter off the curbing and not be counted as a floor, only for the purpose of height requirements, provided that the height of the building does not exceed the permitted height.

2.37 - Repair. - The substitution of an existing work in a building, not including additional work which constitutes structural alteration, or which constitutes an enlargement in area as well as height; or which could affect or change the exit path, or a basic part of an elevator, plumbing, gas or other installations.

2.38 - Lot. - Land property described or describable in the Property Registry, as an independent farm or a subdivision which has been approved by the Board.

2.39 - Corner Lot. - A lot fronting on two roads which intersect or join.

2.40 - Interior Lot. - Any lot which is not a corner lot.

2.41 - Lands. - Including land as well as bodies of water, the space above the same or below them.

2.42 - Housing Unit. - A building or part of the same for the housing of a family. In apartment houses the basic housing unit shall have three (3) bedrooms.

2.43 - Accessory Use. - Any use made of a property which is secondary to its principal use.

2.44 - Nonconforming Use or Building. - A use or building which does not conform in location size or operation with that permitted in the zoning district in which the property is located, or which is not in harmony with the provisions of this Regulation.

2.45 - Roads. - Paths, alleys, walks, roads, streets, highways, viaducts, bridges, avenues, boulevards, freeways and whatever other public access or part of the same.

TOPIC 2

PERMITS

SECTION 3.00 - REQUEST AND ISSUANCE OF PERMITS

3.01 - General Provisions Concerning Request and Issuance of Permits.

For the purposes of this Regulation, starting from its effective date, the request and issuance of permits will be governed by that which is established further on.

3.02 - Request of Permits. - A permit will be required for the use of any building or property, or for the construction, reconstruction, alteration, enlargement or moving of any structure as well as for the installation of signs or announcements within the zoned area in Puerto Rico.

It will not be necessary to fulfill the construction permit requirements in the cases of structures which were legally authorized by the effective date of this Regulation and completed according to the terms prescribed by the construction permit which was issued; or in repairs of structures, except in the Ancient and Historic Zones established by virtue of Law No. 374 of May 14, 1949.

3.03 - Issuance of Permits. - Permits for construction or use or the installation of signs or announcements will only be issued when the structure or property use or the signs or announcements for which the permit is requested are in complete harmony and conformance with the provisions of this Regulation. A permit will be authorized only for the construction or use of a principal building for each lot. The furnishing of a bond may be required as a condi-

tion for the issuance of a use or construction permit when the nature of the use justifies it as directed by Law No. 213 of May 12, 1942, as amended.

3.04 - Permits Related to Public Roads.- From the effective date of this Regulation no permit whatsoever will be issued for construction, reconstruction, alterations, addition, or use for any building on any lot unless the lot has an access road. In the case of new urbanizations, construction permits may be issued when the Board authorizes it.

In addition no building permit whatsoever will be issued for lands located within the lines of an existing road or which has been included as part of a Regulating Plan or an Official Map; neither shall construction of any structure be approved within the outline or which in any form obstructs or impairs the construction, enlargement, widening or extension of existing public roads or which appear on a construction plan or the description of a subdivision approved by the Board. To determine the continuation, enlargement, widening or extension of the public roads, the general existing lines of the greater right of way among these will be taken as a base.

Notwithstanding the prohibitions contained in this Subsection, additions for a building will be authorized provided that the addition or additions requested for all of the floors of that structures or of its accessory structures do not together exceed ten (10) square meters of gross floor area, even when requested on different

dates.

On lots affected by public roads which figure on a Regulating Plan or Official Map but which have not been constructed, the provisions of this Regulation shall apply to the remainder of the lot as if the roads were constructed.

3.05 - Permits Related to Airport Zones. - No permit whatever shall be issued for the use of properties or for the erection, moving or alteration of buildings or structures, including chimneys, posts, tanks, radio towers, antennas, towers, electric power lines or other structures which are permitted by this Regulation when they create interference with radio communications between an airport and airplanes, or when they make it difficult for the pilots to distinguish the lights of the airport or other control lights, or when they create reflections in the pilot's line of vision, or when they reduce visibility in the vicinity of the airport, or when they constitute a risk in the landing, take-off or maneuvering of airplanes, or when they exceed the height limitations established with respect to Airport Zones.

3.06 - Permits for Legal Nonconformance. -- Permits shall be issued for those nonconforming buildings and uses which are legal. In legal nonconformance permits, there shall be a clear statement of the nature and extent of the legal nonconformance, that is, the extent to which the building or property is not in conformity with this Regulation.

The party interested in the use of a property which would result in a legal nonconformance shall solicit the issuance of a nonconformance permit in writing within a period of one (1) year after the effective date of this Regulation.

For properties whose uses became nonconforming because they were in effect prior to any amendment to this Regulation or to a Zoning Map or Official Map which were adopted, legal nonconformance permits for the nonconforming uses shall be requested within one (1) year from the effective date of the adopted amendments or maps.

3.07 - Permits Related to the Exchange of One Nonconforming Use for Another. - One legal nonconforming use, except in or for gasoline stations, may be exchanged for another nonconforming use which is of the same degree or less than that of the existing use, through authorization by the Board, provided that no structural alterations are made.

3.08 - Discontinuance of Legal Nonconforming Uses. - Once the use of a building or property conforms to this regulation by any change, it cannot revert to nonconforming uses.

Once a legal nonconformance is discontinued for the period of more than one (1) year, any future use of the property in question will conform to the provisions of this Regulation relative to the district in which it is located.

When a building devoted to a legal nonconforming use has received damages, by whatever means, after the cor-

responding Zoning Map came into effect, to the extent that the cost of restoring the building to its original condition would exceed fifty percent (50%) of the cost of replacing the entire structure, without including the foundations, it may not be restored for the same purpose for which it was used; except in accordance with the provisions established further on in this Section. If the damages were less than fifty percent (50%) of the value, the building may be restored for the same purpose for which it had been used, provided that the restoration takes place within one (1) year from the time of the damage.

3.09 - Permits Related to Construction, Alterations, Additions or Repairs to Legal Nonconforming Properties. -

- (1) - In buildings which conform in terms of use and population density, but which are legally nonconforming in other respects, structural alterations, additions and installations of sanitary and cooking facilities shall be permitted provided that the proposed addition conforms in all its aspects with this Regulation.
- (2) - In buildings or parts of buildings which conform in terms of use, but which are legally nonconforming in other respects, the exchange of floors, roofs and interior walls for permanent materials shall be permitted.
- (3) - In buildings which are legally nonconforming in terms of use and population density, alterations are per-

mitted provided that they do not involve structural changes, additions, increase in gross floor area or height, or the installation of sanitary or cooking facilities, and provided they do not increase the nonconformance in terms of use or population density.

- (*) (4) - In buildings with legal nonconforming uses in any districts, except in a P District, the alteration or reconstruction in concrete or any other permanent material, shall be permitted with the authorization of the Board, for any part conforming in use, or additions for conforming uses provided that the legal nonconforming use established in the building will be a use which does not cause injury to the vicinity and that the part to be reconstructed or the proposed addition conforms to the Planning Regulations in effect in all other aspects.
- (*) (5) - In buildings occupied or used for stores retailing food or household goods, which are legally nonconforming in terms of use in Residential Districts, alteration, reconstruction or horizontal additions in concrete or any other permanent material shall be permitted for the part nonconforming in terms of use in accordance with the provisions of Section 40.00 of Topic 12 of this Regulation.
- (*) (6) - In buildings occupied or used for gasoline stations

(*) As amended April 21, 1971.
Effective Date of Amendments, July 16, 1971.

which are legally nonconforming in terms of use in Residential Districts, alterations, reconstructions, expansions or addition of facilities may be done provided they agree with the following.

- (a) - A public hearing shall be held to consider this type of project.
- (b) - The legal nonconformance and the continuity of the operation of the use shall be demonstrated; and it shall be determined that the same is necessary to serve the immediate sector.
- (c) - When the exterior walls of the part of the building to be altered or reconstructed are of concrete, or another permanent material, it shall be permitted that the same maintain yards not smaller than the existing.
- (d) - Horizontal additions to be built may only be used for the enlargement of existing facilities in the gasoline stations; its size may not exceed fifty percent (50%) of the gross floor area of the existing; and it shall fulfill the other requirements established by this Regulation for the specific district in which the property is located.
- (e) - The washing, lubrication and other existing facilities be located no less than four meters twenty-five centimeters (4.25) away from any lot line.

- (f) - The washing, lubrication and other proposed or existing facilities which do not agree with the previously established rulings, shall be located no less than six (6) meters from any lot line.
 - (g) - The gasoline pumps, proposed or existing, shall maintain a separation not less than four meters twenty-five centimeters (4.25) from any front lot line.
 - (h) - The safety precautions concerning fire hazards must meet with acceptance by the Fire Department of Puerto Rico.
 - (*) (7) - On lots in residential districts, with a width or depth less than that required, the requirements concerning occupiable area and yard sizes will be those established in Section 39.00 of Topic 11 of this Regulation.
 - (*) (8) - Buildings or properties dedicated to legal non-conforming uses are permitted to be repaired and preserved.
- 3.10 - Time Limits on Permit Decisions. -
- (1) - Every favorable decision or authorization concerning any opinion on the conformance of a project, preliminary planning, or completed design related to a

(*) As amended April 21, 1971.
Effective date of Amendments, July 16, 1971.

construction project, will become void: if within the period of one (1) year from having acquired the decision, the corresponding construction permit has not been obtained; or if having obtained the corresponding construction permit, the work authorized in this was not begun within the period of one (1) year from the date of issue; or if those works, once begun - in accord with the previously established rulings, were not finished within the time prescribed in the permit.

- (2) - Every decision authorizing any use permit will be void: if within one (1) year from the authorization, the corresponding use permit was not obtained; or if having obtained the corresponding use permit, the authorized use was not established within one (1) year from the date of issue of the permit.
- (3) - Every decision authorizing any permit for the installation of signs and announcements will be void: if within one (1) year from the authorization, the corresponding permit for signs and announcements was not obtained; or if having obtained the corresponding sign or announcement permit, the authorized sign or announcement was not installed within one (1) year from the date of issue of the permit.
- (4) - The time limits established above shall be considered definitive for all legal effects, except that the same may be postponed through a petition

by the interested party, when such extension would not be considered as contrary to the public interest, and provided that the petition for extension is submitted at least thirty (30) days before the expiration date of the decision, with an indication of the reasons for the petition and including, furthermore, evidence of the progress made in the preparation of the preliminaries, construction plans, studies and documents that the case requires.

TOPIC 3

MAPS AND TYPES OF ZONING DISTRICTS

SECTION 4.00 - ZONING MAPS

4.01 - General. - By means of this Regulation and the Zoning Maps, the Board shall establish, by districts, the use and development of the lands and buildings.

Beginning with the effective date of each Zoning Map or its amendments, the same will become part of this Regulation.

4.02 - Amendments to a Zoning Map. - The Board may amend a Zoning Map on its own initiative or at the request of any governmental organism.

The Board may consider requests for amendments presented by private persons, when they are accompanied by:

- (1) - Evidence that the request is signed by all the owners of the properties included in the same.
- (2) - Evidence that the owners of the adjacent properties and of those properties situated within sixty (60) meters from the limits of the area proposed, or evidence that at least twenty (20) of the properties nearest to that area have been notified of the intention to submit an amendment proposal. The number of proprietors to be notified shall be the greatest one resulting from the application of the preceding provisions.
- (3) - A sketch of the site in which the locality of the area which is the subject of the request is shown

with respect to roads; and the properties whose owners must be notified as outlined above.

(4) - Whatever information or documents the Board requires on the forms prepared for these purposes.

The Board may dispense with some of the beforementioned requirements when it can be demonstrated to the satisfaction of the same that it is impossible to fulfill the requirements.

Every amendment proposal shall be justifiable in terms of the benefit that the community or the sector shall derive from the same.

The holding of a public hearing shall be required prior to amending a Zoning Map

The amendment petitions shall be submitted to the Board before the date of the public hearing on the matter. The Board shall establish the closing date for accepting amendment petitions to a specific Zoning Map by means of press announcements or any other informative medium.

SECTION 5.00 - TYPES OF ZONING DISTRICTS

5.01 - General. - For the present and for the ends of this Regulation, the following types of zoning districts are established:

- R-0 District: Residential with low population density with a minimum lot size of eight thousand (8,000) square meters.
- R-1 District: Residential with low population density with a minimum lot size of nine hundred (900) square meters.
- R-2 District: Residential with low population density with a minimum lot size of four hundred fifty (450) square meters.
- R-3 District: General residential with a minimum lot size of three hundred (300) square meters.
- R-4 District: General residential with a minimum lot size of two hundred fifty (250) square meters.
- R-5 District: Residential of apartments with high population density, and a minimum lot size of five hundred (500) square meters.
- R-6 District: Residential of apartments with high population density (Ancient and Historic Zones).
- C-1 District: Commercial - local.
- C-2 District: Commercial - center periphery.
- C-3 District: Commercial - center.
- C-4 District: Commercial - market centers.

C-5 District: Commercial - centers of extensive recreation.

C-6 District: Commercial - local services.

I-1 District: Industrial - light industries.

IL-1 District: Industrial - limited light industries.

I-2 District: Industrial - heavy industries.

IL-2 District: Industrial - limited heavy industries.

M District: Rehabilitation.

P District: Public use.

5.02 - Limits of Districts. - The limits of the districts or zones shall be the roads, the lot lines, or may be established by dimensions and where they are not thus demarcated they shall be determined according to the scale of the Zoning Map.

5.03 - Cases of Lots with Two Classifications. - When the limits of districts divide a lot into two (2) or more parts with different zoning, each part of the lot shall be treated according to the requirements which correspond to the district in which it is located.

TOPIC 4

ZONING DISTRICTS

SECTION 6.00 - R-O DISTRICT

6.01 - Purposes of the R-O District. - This special district of low population density, with a minimum lot size of eight thousand (8,000) square meters, is established to facilitate control of urban expansion or growth; to protect the usefulness of the arterial roads; to preserve lands of high agricultural productivity; to protect areas which require protection of its flora or fauna for their economic, ecological or scientific importance; and to protect the enjoyment and preservation of resources for the public interest, such as topographical features, woods, fields, landscapes, geological formations, springs, ravines, rivers, lakes, lagoons, natural springs of water, mangroves, mineral deposits, or beaches.

6.02 - Uses in R-O Districts. - In R-O Districts the lands and buildings shall be used for the purposes expressed as follows:

- (1) - Agricultural uses, including stands for the retail of products grown on the property, provided that each stand is constructed at a distance not less than six (6) meters from the line of the road, that it has no more than one (1) floor and that it does not occupy an area greater than twenty-five (25) square meters.
- (2) - Houses for one or two families.
- (3) - Other uses in agreement with that established in Sub-section 54.03 of Topic 16 of this Regulation.

- 6.03 - Height in R-O Districts. - No building shall have more than two (2) floors or exceed nine (9) meters in height. Non-residential building and tourist hotels which are permitted in this district may have a great height provided that: the gross floor area is not greater than that permitted in the district for residential building; and that the width of every yard not be less than the required dimension.
- 6.04 - Lot Size in R-O Districts. - Every lot formed after the effective date of this Regulation shall have an area not less than eight thousand (8,000) square meters and a width not less than sixty (60) meters.
- 6.05 - Population Density in R-O Districts. - The number of families permitted in this district shall be determined on the basis of the lot size in accordance with the following:
- In lots less than eight thousand (8,000) square meters in size, one-family houses shall be permitted.
- In lots of eight thousand (8,000) square meters or more in size, one or two-family houses shall be permitted.
- Buildings or floors of buildings occupied or used for only one house shall have their accessories functionally related between them for the exclusive use of one family.
- 6.06 - Occupiable Area in R-O Districts. - The occupiable area shall not exceed ten percent (10%) of the lot area.
- 6.07 - Gross Floor Area in R-O Districts. - The gross floor area shall not exceed twenty percent (20%) of the lot area. In no case shall the gross floor area of any floor above the first exceed the maximum permitted percentage of occupiable area

for this district.

- 6.08 - Front Yard in R-O Districts. - One (1) front yard is required with a depth not less than five (5) meters or one fifth (1/5) the height of the building, whichever is greater.
- 6.09 - Side Yards in R-O Districts. - Two (2) side yards are required, each with a width of not less than five (5) meters or one fifth (1/5) the height of the building, whichever is greater. Whatever side yard or part of the same which adjoins a street shall be considered as front yard.
- 6.10 - Rear Yard in R-O Districts. - One (1) rear yard is required with a depth not less than five (5) meters or one fifth (1/5) the height of the building, whichever is greater. Whatever rear yard or part of the same which adjoins a street shall be considered as front yard.
- 6.11 - Accessory Buildings and Uses in R-O Districts. - The accessory buildings and uses shall adjust to the provisions of Section 36.00 of Topic 10 of this Regulation.
- 6.12 - Parking Areas in R-O Districts. - Parking areas shall be provided for the permitted uses in this district, in conformance with Section 31.00 of Topic 8 of this Regulation.
- 6.13 - Marquees in R-O Districts. - Marquees shall conform to the provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.
- 6.14 - Loading and Unloading Space in R-O Districts. - Every building or part of a building occupied or used for commercial purposes, hotel or hospital under the provisions of Subsection 54.03 of Topic 16 of this Regulation, shall be provided with a

space for loading and unloading which shall be not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor area or part of that amount in excess of five hundred (500) square meters.

- 6.15 - Towers, Fences and Gateways in R-0 Districts. - Towers, fences and gates shall conform to the provisions of Section 30.00 of Topic 7 of this Regulation.
- 6.16 - Signs in R-0 Districts. - Signs shall conform with the provisions established in Sections 47.00, 48.00 51.00 and 52.00 of Topic 15 of this Regulation.
- 6.17 - Projecting Structures in R-0 Districts. - Cornices, eaves, roofs and other architectural features may extend into required yards for a distance of not more than one (1) meter. In addition, the extension of open projecting balconies shall be permitted for a distance not greater than one (1) meter into required front and rear yards, provided that they maintain a separation of not less than five (5) feet from any side or rear lot line.
- 6.18 - Special Cases in R-0 Districts. - In accordance with the purposes of R-0 Districts, those cases which have the following land or area characteristics, including adjacent affected land, shall be considered special:

- (1) - Which constitute lands of high agricultural productivity.
- (2) - Which are essential to the enjoyment or preservation of recreational resources, such as woods, landscapes, geological formations or areas of exceptional beauty.
- (3) - Which are forests, springs, gorges, rivers, lakes, lagoons or other areas or bodies of water which merit protection as sources of water or recreational resources.
- (4) - Which constitute mineral deposits or mines of appreciable economic value.
- (5) - Which demonstrate importance for the historic or cultural patrimony.
- (6) - Which require the preservation of flora or fauna for their economic, ecological or scientific importance.
- (7) - Which are susceptible to flooding, landslides, avalanches or high tides.
- (8) - Which are areas whose topographical features or whose vegetation have a special significance for the community.
- (9) - Which are beach areas.

For these special cases, the Board may establish norms as to uses, height, lot size, population density, area that may be occupied, gross floor area, yard sizes, accessory buildings and uses, parking areas, marquees

and other requirements, which shall be permitted by resolution, which should be proposed and approved jointly with, and which shall form part of, the Zoning Map of the area or lands which are considered special cases. The requirements established by the Board may be greater or less than those established for this district in this Regulation.

SECTION 7.00 - R-1 DISTRICTS

- 7.01 - Purposes of the R-1 District. - This district of low population density is established to classify lands in order to facilitate, if justifiable, the necessities of urban growth; and to preserve the residential character of developed areas or of areas which may develop into lots of nine hundred (900) square meters or more.
- 7.02 - Uses in R-1 Districts. - In R -1 Districts the buildings or properties shall be used for the purposes expressed as follows:
- (1) - One-family houses.
 - (2) - Other uses in accord with Subsection 54.03 of Topic 16 of this Regulation.
- 7.03 - Height in R-1 Districts. - No building shall have more than two (2) floors or shall exceed nine (9) meters in height. The non-residential buildings and tourist hotels which are permitted in this district may be of greater height provided that: the gross floor area is not greater than that permitted in the district for residential buildings; and that the width of patio not be less than the required size.
- 7.04 - Lot Size in an R-1 District. - Every lot formed after the effective date of this Regulation shall have an area not less nine hundred (900) square meters and a width not less than twenty-five (25) meters.
- 7.05 - Population Density in R-1 Districts. - One single-family house shall be permitted on each lot, independently of the lot size.
- Buildings or floors of buildings occupied or used

as one-family houses shall have their accessories functionally related between them.

7.06 - Occupiable Area in R-1 Districts. - The occupiable area shall not exceed thirty-five percent (35%) of the lot area.

7.07 - Gross Floor Area in R-1 Districts. - The gross floor area shall not exceed seventy percent (70%) of the lot area. In no case shall the gross floor area of any floor above the first exceed the maximum percentage of occupiable area permitted in this district.

7.08 - Front Yard in R-1 Districts. - One (1) front yard is required with a depth not less than five (5) meters or one fifth ($1/5$) the height of the building, whichever is greater.

7.09 - Side Yards in R-1 Districts. - Two (2) side yards are required, each with a width not less than four (4) meters or one fifth ($1/5$) the height of the building, whichever is greater. Whatever side yard or part of the same adjoins a road shall be considered as front yard and shall fulfill the size requirements for front yards in this District.

7.10 - Rear Yard in R-1 Districts. - One (1) rear yard is required with a depth not less than five (5) meters or one fifth ($1/5$) the height of the building, whichever is greater.

7.11 - Accessory Buildings and Uses in R-1 Districts. - The accessory buildings and uses shall conform to the provisions of Section 36.00 of Topic 10 of this Regulation.

7.12 - Parking Areas in R-1 Districts. - Parking areas shall be provided for the permitted uses in R-1 Districts, according

to the provisions of Section 31.00 of Topic 8 of this Regulation.

7.13 - Marquees in R-1 Districts. - Marquees shall conform with the provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.

7.14 - Loading and Unloading Space in R-1 Districts. - Every building or part of a building occupied or used as a hotel or hospital under the provisions of Subsection 54.03 of Topic 16 of this Regulation, shall be provided with a space for loading and unloading, which shall be not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor area or part of that amount in excess of five hundred (500) square meters.

7.15 - Towers, Fences and Gateways in R-1 Districts. - Towers, fences and gateways shall conform with the provisions of Section 30.00 of Topic 7 of this Regulation.

7.16 - Signs in R-1 Districts. - Signs shall conform with the provisions established in Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.

7.17 - Projecting Structures in R-1 Districts. - Cornices, eaves, roofs, and other architectural features may extend into required yards for a distance of not more than one (1) meter. In addition, the extension of open balconies shall be permitted for a distance of not more than one (1) meter into required front and rear yards, provided such balconies are separated by not less than five (5) feet from any side or rear lot line.

SECTION 8.90 - R-2 DISTRICTS

- 8.01 - Purposes of R-2 Districts - This district of low population density is established to preserve the residential character of areas that are already developed or that may be developed into lots of four hundred and fifty (450) square meters or more.
- 8.02 - Uses of R-2 Districts - In R-2 Districts, building and accessory structures shall be used for the purposes indicated in the following:
- (1) - Single-family or two-family houses.
 - (2) - Other uses in accordance with the provisions of Subsection 54.03 of Topic 16 of this Regulation.
- 8.03 - Heights in R-2 Districts - No building shall have more than two (2) floors nor exceed nine (9) meters in height. Non-residential buildings that are permitted in these districts may have a greater height provided that: the gross floor space is not greater than that permitted in the district for residential buildings; and provided that the width of all yards is not less than the required size.
- 8.04 - Size of Lots in R-2 Districts - All lots formed subsequently to the effective date of this Regulation shall have an area of not less than four hundred and fifty (450) square meters and a width of not less than fifteen (15) meters.
- 8.05 - Population Density in R-2 Districts - The number of families to be permitted in these districts shall be determined on the basis of the size of the lots, in accordance with the following:

On lots of a size less than four hundred and fifty (450) square meters, one-family houses shall be permitted.

On lots of a size of four hundred and fifty (450) meters or more, one-family or two-family houses shall be permitted.

Buildings, or floors of buildings, occupied or used for a single house shall have their accessory areas and structures arranged for the exclusive use of one family.

8.06 - Area of Occupation in R-2 Districts - The area of occupation of the buildings shall not exceed more than fifty percent (50%) of the area of the lot.

8.07 - Gross Floor Space in R-2 Districts - The gross floor space shall not exceed one hundred percent (100%) of the area of the lot. In no case shall the gross floor space of any single floor above the first floor exceed the maximum percentage of area of occupation permitted in the district.

8.08 - Front Yard in R-2 Districts - One (1) front yard with a depth of not less than four (4) meters or of one-fifth (1/5) of the height of the building, whichever is greater, shall be required.

8.09 - Side Yards in R-2 Districts - Two (2) side yards shall be required, each one with a width of not less than two (2) meters and widths together of not less than five (5) meters. All side yards shall have their widths established in advance or a width of not less than one-fifth (1/5) the height of the building, whichever is greater. Any side yard or part of a side yard that borders on a street shall be considered

a front

a front yard and shall comply with the requirements for the size of front yards in this district.

- 8.10 - Rear Yards in R-2 Districts - A rear yard of a depth of not less than four (4) meters, or one-fifth (1/5) the height of the building, whichever is greater, shall be required. Any rear yard or part of a rear yard that borders on a street shall be considered as a front yard and shall comply with the requirements for the size of front yards in this district.
- 8.11 - Accessory Buildings and Uses in R-2 Districts - Accessory buildings and uses in R-2 Districts shall conform with the provisions of Section 36.00 of Topic 10 of this Regulation.
- 8.12 - Parking Areas in R-2 Districts. - For the uses permitted in R-2 Districts, parking areas shall be provided as provided in Section 31.00 of Topic 8 of this Regulation.
- 8.13 - Marquees in R-2 Districts - Marquees shall conform with the provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.
- 8.14 - Loading and Unloading Space in R-2 Districts - Any building or part of a building occupied or used for a hospital under the provisions of Subsection 54.03 of Topic 16 of this Regulation shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor space or part of that amount in excess of five hundred (500) square meters.
- 8.15 - Towers, Fences and Gateways in R-2 Districts - Towers, fences

and gateways shall conform to the provisions of Section 30.00 of Topic 7 of this Regulation.

8.16 - Signs in R-2 Districts - Signs shall conform with the provisions of Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.

8.17 - Extended Structures in R-2 Districts - Cornices, eaves, roofs and other architectural features may be extended within the depth of the required yards to a distance of not more than one (1) meter. Permission shall likewise be given for the extension of open balconies to a distance of not more than one (1) meter within the front yard and the rear yards, provided there is a separation of not less than five (5) feet from the balcony to the side lot line or rear lot line.

SECTION 9.00 - R-3 DISTRICTS

9.01 - Purposes of the R-3 Districts. - This district of intermediate population density is established for the purpose of classifying residential areas that are already developed or that may be developed, in which different types of housing shall be permitted on lots of three hundred (300) square meters or more.

9.02 - Uses in R-2 Districts. - In R-3 Districts, buildings and accessory structures shall be used for the purposes indicated in the following:

(1) - One-family or two-family houses.

(2) - Row houses, in accordance with the provisions of Section 25.00 of Topic 5 of this Regulation.

(3) - Apartment houses, in accordance with the provisions of Section 26.00 of Topic 5 of this Regulation.

9.03 - (4) - Other uses, in accordance with the provisions of Subsection 54.03 of Topic 16 of this Regulation.

9.03 - Heights in R-3 Districts. - No buildings shall have more than two (2) floors nor exceed more than nine (9) meters in height. A greater height shall be permitted provided that the gross floor space and the width of all yards comply with the provisions for the district established by this Regulation.

9.04 - Size of Lots in R-3 Districts.-- All lots formed subsequently to the effective date of this Regulation shall have an area of not less than three hundred (300) square meters and

a width of not less than twelve (12) meters.

9.05 - Population Density in R-3 Districts. - The number of families to be permitted in these districts shall be determined on the basis of the size of the lot, in accordance with the following:

On lots of a size less than three hundred (300) square meters, one-family houses shall be permitted.

On lots of three hundred (300) square meters or more, one-family and two-family houses shall be permitted.

Buildings, and floors of buildings, occupied or used for a single-family dwelling shall have their accessory structures and dependent areas functionally related for the exclusive use of one family.

9.06 - Area of Occupation in R-3 Districts. - The area of occupation shall not exceed fifty percent (50%) of the area of the lot.

9.07 - Gross Floor Space in R-3 Districts. - The gross floor space shall not exceed one hundred percent (100%) of the area of the lot. In no case shall the gross floor space of any single floor over the first floor exceed the maximum of the area of occupation permitted in the district.

9.08 - Front Yards in R-3 Districts. - A front yard with a depth of not less than three (3) meters shall be required. In cases of blocks that have a public roadway of six (6) meters or more in width, the front yard fronting on this street shall have a depth of not less than two (2) meters. All front yards shall have a depth established in advance, or not less than one-fifth (1/5) of the height of the building, whichever may be greater.

- 9.09 - Side Yards in R-3 Districts. - Two (2) side yards shall be required, each with a width of not less than two (2) meters, and the two together not less than five (5) meters. All side yards must have a width established in advance, or not less than one-fifth ($1/5$) the height of the building, whichever may be greater. Any side yard or part of a side yard that borders on a street or a walkway of six (6) meters or more in width, shall be considered to be a front yard and shall comply with the requirements of size for front yards in the district.
- 9.10 - Rear Yards in R-3 Districts. - One (1) rear yard with a depth of not less than three (3) meters or one-fifth ($1/5$) the height of the building, whichever may be greater, shall be required. Any rear yard or part of a rear yard that borders on a street or on a walkway of six (6) meters or more in width, shall be considered as a front yard and shall comply with the requirements of size for front yards established for the district.
- 9.11 - Accessory Buildings and Uses in R-3 Districts. - Accessory buildings and uses shall conform, with the provisions of Section 36.00 of Topic 10 of this Regulation.
- 9.12 - Parking Areas in R-3 Districts. - For the uses permitted in R-3 Districts, parking areas shall be provided in accordance with the provisions of Section 31.00 of Topic 8 of this Regulation.

In the cases of row houses or apartment houses, the provisions concerning parking areas shall be those established

in Sections 25.00 and 26.00 of Topic 5 of this Regulation.

9.13 - Marquees in R-3 Districts. - Marquees shall conform with the provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.

9.14 - Loading and Unloading Space in R-3 Districts. - Any building or part of a building occupied or used for a hospital, under the provisions of Subsection 54.03 of Topic 16 of this Regulation, shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor space or part of that amount in excess of five hundred (500) square meters.

9.15 - Towers, Fences and Gateways in R-3 Districts. - Towers, fences and gateways shall conform with the provisions of Section 30.00 of Topic 7 of this Regulation.

9.16 - Signs in R-3 Districts. - Signs shall conform with the provisions established in Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.

9.17 - Extending Structures in R-3 Districts. - Cornices, eaves, roofs and other architectural features may be extended within yards of conforming depths, for a distance of not more than one (1) meter. Permission shall likewise be given for the extension of open balconies to a distance of not more than one (1) meter within the front yard and the rear yard, provided there is a separation of not less than five (5) feet from the balcony to side lot line or rear lot line.

SECTION 10.00 - R-4 DISTRICTS

- 10.01 - Purposes of R-4 Districts. - This district of intermediate population density is established for the purpose of classifying residential areas that are already developed or that may be developed, in which different types of housing shall be permitted on lots of two hundred and fifty (250) square meters or more.
- 10.02 - Uses in R-4 Districts. - In R-4 Districts, buildings and accessory structures shall be used only for the purposes indicated in the following:
- (1) - One-family or two-family houses.
 - (2) - Row houses, in accordance with the provisions of Section 25.00 of Topic 5 of this Regulation.
 - (3) - Apartment houses, in accordance with the provisions of Section 26.00 of Topic 5 of this Regulation.
 - (4) - Other uses, in accordance with the provisions of Subsection 54.03 of Topic 16 of this Regulation.
- 10.03 - Heights in R-4 Districts. - No building shall have more than two (2) floors nor exceed nine (9) meters in height. A greater height shall be permitted provided that the gross floor space and the width of all yards comply with the dimensions established for this district by this Regulation.
- 10.04 - Size of Lots in R-4 Districts. - All lots formed subsequently to the effective date of this Regulation shall have an area of not less than two hundred and fifty (250) square meters and a width of not less than twelve (12) meters.
- 10.05 - Population Density in R-4 Districts. - The number of families

to be permitted in this district shall be determined on the basis of the size of lot, in accordance with the following:

On lots with a size less than one hundred and forty (140) square meters, one-family houses shall be permitted.

On lots of a size of one hundred and forty (140) square meters or more, one-family or two-family houses shall be permitted.

Buildings, or floors of buildings, occupied or used for a single-family dwelling, shall have their accessory areas and structures functionally related for the exclusive use of single families.

10.06 - Area of Occupation in R-4 Districts. - The area of occupation shall not exceed fifty percent (50%) of the lot area.

10.07 - Gross Floor Space in R-4 Districts. - The gross floor space shall not exceed one hundred percent (100%) of the lot area. In no case shall the gross floor space of any single floor over the first floor exceed the percentage maximum of occupied area permitted in the district.

10.08 - Front Yards in R-4 Districts. - One (1) front yard with a depth of not less than two (2) meters or a fifty part (1/5) of the height of the building, whichever is the greater, shall be required.

10.09 - Side Yards in R-4 Districts. - Two (2) side yards shall be required, each with a width of not less than two (2) meters or one-fifth (1/5) the height of the building, whichever is the greater. Any side yard or part of a side yard that borders on a street shall be considered to be a front yard

and shall comply with the size requirements for front yards in the district.

10.10 - Rear Yards in R-4 Districts. - One (1) rear yard shall be required with a depth of not less than three (3) meters or one-fifth (1/5) the height of the building, whichever is the greater. Any rear yard or part of a rear yard that borders on a street shall be considered as a front yard and must comply with size requirements for front yards in the district.

10.11 - Accessory Buildings and Uses in R-4 Districts. - Accessory and buildings and uses shall conform with the provisions of Section 36.00 of Topic 10 of this Regulation.

10.12 - Parking Areas in R-4 Districts. - For the uses permitted in R-4 Districts, parking areas shall be provided in accordance with Section 31.00 of Topic 8 of this Regulation.

In the cases of row houses or apartment houses, the requirements for parking areas shall be those established in Section 25.00 and 26.00 of Topic 5 of this Regulation.

10.13 - Marquees in R-4 Districts. - Marquees shall conform with the provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.

10.14 - Loading and Unloading Space in R-4 Districts. - Any building or part of a building occupied or used as a hospital, under the provisions of Subsection 54.03 of Topic 16 of this Regulation, shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square

meters of gross floor space or part of that amount in excess of five hundred (500) square meters.

10.15 - Towers, Fences and Gateways in R-4 Districts. - Towers, fences and gateways shall conform with the provisions of Section 30.00 of Topic 7 of this Regulation.

10.16 - Signs in R-4 Districts. - Signs shall conform with the provisions of Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.

10.17 - Extending Structures in R-4 Districts. - Cornices, eaves, roofs and other architectural features may extend, within conforming yards, up to a distance of not more than one (1) meter. Permission shall likewise be given for the extension of open balconies to a distance of not more than one (1) meter within the front yard and the rear yard, provided there is a separation of not less than five (5) feet from the balcony to the side lot line or the rear lot line.

SECTION 11.00 - R-5 DISTRICTS

11.01 - Purposes of the R-5 District. - This district of high population density is established for the purpose of classifying urban areas of residential character close to principal centers of commercial activity, with a propensity for development of high population density; or areas susceptible of redevelopment or development of high population density by the nature of the sector, access roads, existence of public facilities such as elementary school, high schools and intermediate schools, parks, capacity of services such as sewers, water and electric energy, and transportation facilities.

11.02 - Uses in R-5 Districts. - In R-5 Districts, buildings and accessory structures shall be used as indicated in the following:

- (1) - Apartment houses.
- (2) - One-family or two-family houses.
- (3) - Other uses, in accordance with the provisions of Subsection 54.03 of Topic 16 of this Regulation.

11.03 - Heights in R-5 Districts. - The height of buildings shall be determined on the basis of the gross floor space permitted and the size of yards or the separation between buildings or areas on the same lot, as required in the district.

11.04 - Sizes of Lots in R-5 Districts. - All lots formed subsequently to the effective date of this Regulation shall have an area

of not less than five hundred (500) square meters and a width of not less than fifteen (15) meters.

11.05 - Population Density in R-5 Districts. - The number of families to be permitted in this district shall be determined on the basis of the total lot area in accordance with the following:

On lots with an area of less than five hundred (500) square meters, one family shall be permitted for each one hundred (100) square meters of lot area, independently of the width of the direct vehicular access road to the lot.

On lots with an area of five hundred (500) meters or more, one family shall be permitted for each one hundred (100) square meters of lot area when the road that constitutes the direct vehicular access to the lot is less than ten (10) meters in width; or, one family shall be permitted for each seventy (70) square meters of lot area when the road that constitutes the direct vehicular access to the lot is ten (10) meters or more in width.

On lots with an area of one thousand (1,000) square meters or more, one family shall be permitted for each sixty (60) square meters of the lot area when the road that constitutes the direct vehicular access to the lot is thirteen (13) meters or more in width.

On lots with an area of two thousand (2,000) square meters or more, one family shall be permitted for each fifty-five (55) square meters of lot area when the road that constitutes the direct vehicular access to the lot is eighteen (18) meters or more in width.

On lots with an area of more than four thousand (4,000) square meters or more, one family shall be permitted for each fifty (50) square meters of lot area when the road that constitutes the direct vehicular access to the lot is twenty (20) meters or more in width.

If a lot that is under consideration for an apartment house project is subsequently subdivided into two (2) or more lots, the number of families to be permitted on each lot shall be equal to the proportion between the net residential area of the new lot and the total net residential area of the lot under original consideration, multiplied by the total number of families permitted in the latter.

In the application of the preceding provisions, as concerns roads included in an Official Map or Regulating Plan, the width of the road of direct vehicular access to the lot shall be considered to be the width indicated on such Official Map or Regulating Plan. In the case of an existing road not included on an Official Map or Regulating Plan, the width of the road of direct vehicular access to the lot shall be considered to be the width of the existing road plus two (2) times the additional width that is provided in the Official Map or Regulating Plan for future widening of the road. The strips of land along the edges of lots to be reserved for the future widening of the road shall not be taken into consideration in the application of the requirement established for the district by this Regulation, except as indicated further on in this Subsection.

In computing the population density permissible in the district, one family may be credited for each ~~sixty~~ (60) square meters of the portion of the lot affected by an Official Map or a Regulating Plan, if such portion of land is donated for public use. As concerns strips on the edges of lots reserved for the future widening of a road not included in an Official Map or Regulating Plan, in computing the population density permissible in the district, one family may be credited for each thirty (30) square meters of such strips, when these strips are being donated for public use. In no case shall this increase in population density exceed or represent more than a third ($1/3$) of the number of families that is permitted on the remainder of the lot. The donation of land shall be carried out by means of an appropriate legal document when transfer to the Free Associated State of Puerto Rico or the pertinent Municipal Authorities is proposed.

In projects for the construction of housing for ten (10) or more families, on lots for which a population density is authorized on the basis of the preceding provisions, there shall be requirements for improvement works in front of, or within the lot, specified by the Department of Public Works or the Municipal Authorities, as the case may be, and which will pertain to the direct vehicular access road to the lot.

In projects for apartment houses in the R-5 Districts, permission shall be given to convert the number of basic housing units permitted into a larger number of smaller

units on the basis of the number of bedrooms for the type of apartment, in the following relationship:

| Number of Bedrooms per Apartment | Equivalent in Terms of the Basic Housing Unit |
|-------------------------------------|---|
| 0 ("studio or efficiency") | 0.4 |
| 1 | 0.6 |
| 2 | 0.8 |
| 3 | 1.0 |

When three (3) or more bedroom per apartment are provided, each additional bedroom shall be computed at the rate of 0.2 housing unit extra. In no case shall the number of basic housing units exceed the number of families permitted on the lot.

11.06 - Area of Occupation in R-5 Districts. - The area of occupation shall not exceed fifty percent (50%) of the lot area. In projects for apartment houses, the area of occupation shall not exceed the percentage maximum of the total lot area which, with respect to permitted population density, is indicated in the following:

| Square Meters of Lot per Family, as Permitted | Area of Occupation, Percentage Maximum Per- mitted in Relation to Total Lot Area |
|--|---|
| 70 or more | 50 |
| 55 to 69 | 30 |
| 50 to 54 | 25 |

11.07 - Gross Floor Area

11.07 - Gross Floor Area in R-5 Districts. - The gross floor area shall not exceed two hundred and fifty percent (250%) of

the lot area. In apartment house projects, the gross floor area may be increased to the maximum percentage of the total lot area that is permitted, on the basis of population density, as follows:

| Square Meters of Lot per Family, as Permitted | Gross Floor Space, Percentage Maximum Permitted, in Relation to Total Lot Area |
|--|---|
| 60 or more | 250 |
| 55 to 59 | 275 |
| 50 to 54 | 300 |

If the lot considered for an apartment house project is subsequently subdivided into two (2) or more lots, the gross floor space permitted on each lot shall be equal to the proportion between the net residential area of the new lot and total net residential area of the lot under original consideration, multiplied by the total gross floor space permitted in the latter.

In no case shall the gross floor area of any floor above the first floor exceed the percentage maximum of the area of occupation permitted in the district.

11.08 - Front Yards in R-5 Districts. - One (1) front yard with a depth of not less than three (3) meters, or one-fifth ($1/5$) the height of the building, whichever is greater, shall be required. The required depth of the front yard shall not include the portion or strip of the lot ceded or reserved for the future widening of the roadway, under the provisions concerning population density established for

the district.

- 11.09 - Side Yards in R-5 Districts. - Two (2) side yards shall be required, each with a width of not less than three (3) meters or one-fifth ($1/5$) the height of the building, whichever is greater. Any side yard or part of a side yard that borders on a street shall be considered as a front yard and shall comply with the size requirements for front yards in the district.
- 11.10 - Rear Yards in R-5 Districts. - One (1) rear yard shall be required, with a depth of not less than three (3) meters or a fifth ($1/5$) of the height of the building, whichever is greater. Any rear yard or part of a rear yard that borders on a street shall be considered as a front yard and shall comply with the size requirements for front yards in the district.
- 11.11 - Separation between Principal Buildings or Areas on the Same Lot in R-5 Districts. - The following separation between buildings or areas on the same lot shall be required: as follows: Between principal facades of buildings, a distance of not less than eighteen (18) meters, nor less than one-fifth ($1/5$) of the sum of the heights of the buildings considered, whichever is greater.
- Between rear facades, a distance of not less than twelve (12) meters, nor less than one-fifth ($1/5$) the sum of the heights of the buildings considered, whichever is greater.
- Between side facades, a distance of not less than

twelve (12) meters, nor less than one-fifth ($1/5$) the sum of the heights of the buildings considered, whichever is greater.

Between a principal facade and a side or rear facade, a distance of not less than eighteen (18) meters, nor less than one-fifth ($1/5$) of the sum of the heights of the buildings considered, whichever is greater.

Between a side facade and a rear facade, a distance of not less than eighteen (18) meters, nor less than one-fifth ($1/5$) the sum of the heights of the buildings considered, whichever is greater.

Between buildings and parking areas, parks, walkways, pedestrian paths, service areas, loading and unloading areas, and other similar areas, in projects comprising twenty (20) or more families, a distance of not less than one and a half (1.5) meters.

11.12 - Accessory Buildings and Uses in R-5 Districts. - Accessory buildings and uses shall conform with the provisions of Section 36.00 of Topic 10 of this Regulation.

11.13 - Parking Areas in R-5 Districts. -

(1) For apartment houses, parking areas shall be required on the basis of the permitted population density, as follows:

| <u>Square Meters of Lot per Family, as Permitted</u> | <u>Minimum Space Required per Housing Unit</u> |
|--|--|
| 60 or more | 0.60 |
| 55 to 59 | 0.85 |
| 50 to 54 | 0.90 |

In the cases in which an increase in population density is authorized on the basis of land to be utilized or reserved for vehicular roads or the development of which will be for public utility or is related directly with the public interest, there shall be a requirement to provide, in addition to the preceding space, in a lot for projected private development, 0.60 parking space for each housing unit which such increase in population density represents.

In no case shall the uncovered parking area to be provided exceed or represent more than thirty percent (30%) of the lot area. There shall be compliance, in addition, with the provisions for the design of parking area in Subsection 31.02 of Topic 8 of this Regulation.

(2) For the other uses permitted in this District, parking areas shall be provided according to the provisions of Section 31.00 of Topic 8 of this Regulation.

11.14 - Marquees in R-5 Districts. - Marquees shall conform with the provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.

11.15 - Loading and Unloading Space in R-5 Districts. -

(1) Any building or part of a building occupied or used for a hotel, hospital or commercial facilities of a local character, under the provisions of Subsection 54.03 of Topic 16 of this Regulation, shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor space

or part of that amount in excess of five hundred (500) square meters.

(2) Any building or part of a building occupied or used for an apartment house shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each forty (40) housing units, and this space shall be situated at the side or the rear of the building.

11.16 - Towers, Fences and Gateways in R-5 Districts. - Towers, fences and gateways shall conform with the provisions of Section 30.00 of Topic 7 of this Regulation.

11.17 - Signs in R-5 Districts. - Signs shall conform with the provisions of Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.

11.18 - Extending Structures in R-5 Districts. - Cornices, eaves, roofs and other architectural features may extend within conforming yards up to a distance of not more than one (1) meter. Permission shall likewise be given for the extension of open balconies to a distance of not more than one (1) meter within the front yard and the rear yard, provided there is a separation of not less than five (5) feet from the balcony to the side lot line or the rear lot line.

SECTION 12.00 - R-6 DISTRICTS

12.01 - Purposes of the R-6 District. - This district of high population density is established for the purpose of classifying residential areas that form a part of ancient or historic zones of public interest.

12.02 - Uses in R-6 Districts. - In R-6 Districts, buildings and accessory structures shall be used for the following purposes:

- (1) - Apartment houses.
- (2) - Houses for one or more families.
- (3) - Other uses in accordance with the provisions of Subsection 54.03 of Topic 16 of this Regulation.

12.03 - Heights in R-6 Districts. - No building shall have more than six (6) floors nor exceed in height more than two (2) times the width of the street on which the building fronts.

When a lot fronts on two or more streets, the maximum height of the building shall be determined on the basis of the widest street up to a horizontal distance of thirty (30) meters, measured perpendicularly from the edge of that widest street.

12.04 - Population Density in R-6 Districts. - One family shall be permitted for each fifty (50) square meters of lot area.

In apartment house projects in this district, permission shall be given to convert the number of basic housing units permitted into a larger number of smaller units, on the basis of the number of bedrooms per type of apartment, and

in accordance with the following relationship:

| Number of Bedrooms per Apartment | Equivalents in Terms of Basic Housing Unit |
|-------------------------------------|---|
| 0 ("studio or efficiency") | 0.4 |
| 1 | 0.6 |
| 2 | 0.8 |
| 3 | 1.0 |

When more than three (3) bedrooms per apartment are provided, each additional bedroom shall be computed at the rate of 0.2 housing unit extra. In no case shall the number of basic housing units exceed the number of families permitted on the lot.

12.05 - Area of Occupation in R-6 Districts. - The area of occupation shall not exceed ninety percent (90%) of the lot area.

12.06 - Gross Floor space in R-6 Districts. - The gross floor space shall not exceed four hundred and twenty percent (420%) of the lot area. In no case shall the gross floor space per floor exceed ninety percent (90%) of the lot area, for the first three floors of the building, or fifty percent (50%) of the lot area for any floor above the third floor.

12.07 - Yards in R-6 Districts. - Only a rear yard shall be required, with a depth of not less than three (3) meters. On lots that front on two or more streets, the rear yard with its required area may be situated on the one-fourth of the lot that is interior. In such cases, no yard shall be less than three (3) meters by five (5) meters.

12.08 - Accessory Buildings and Uses in R-6 Districts. - Accessory buildings and uses shall conform with the provisions of

Section 36.00 of Topic 10 of this Regulation.

12.09 - Marquees in R-6 Districts. - Marquees shall conform with the provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.

11.10 - Towers, Fences and Gateways in R-6 Districts. - Towers, fences and gateways shall conform with the provisions of Section 30.00 of Topic 7 of this Regulation.

12.11 - Signs in R-6 Districts. - Signs shall conform with the provisions of Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.

12.12 - Extending Structures in R-6 Districts. - Cornices, eaves, roofs, open extending balconies and other architectural features may extend within the border of the street or of the required rear yard up to a distance of not more than one-(1) meter. The extension of open balconies to a distance of separation of less than five feet from any side or rear lot line, is not permitted.

SECTION 13.00 - C-1 DISTRICTS

13.01 - Purposes of the C-1 District. - This district is established for the purpose of classifying commercial areas and for creating new areas that will supply the daily necessities for the people who reside in the vicinity.

13.02 - Uses up to the First Floor Level in C-1 Districts. -

In C-1 Districts, building or accessory structures shall be used, up to the level of the first floor, for the purposes indicated in the following:

- (1) - Off-track horse agencies.
- (2) - Parking areas for light vehicles in open spaces, provided there is compliance with the provisions for the design of parking areas in Subsection 31.02 of Topic 8 of this Regulation.
- (3) - Barber shops.
- (4) - Banking or financial houses.
- (5) - Pawnshops.
- (6) - Child care centers.
- (7) - Motion picture houses, provided that the lot on which this is situated, or the building which is utilized for this purpose, does not border on a residential district.
- (8) - Civic clubs with non-profit purposes, in accordance with the pertinent requirements for residential districts established in Subsection 54.03 of Topic 16 of this Regulation.
- (9) - Retail commerce in articles for consumption and

~~current~~current use in the home.

- (10) - Commercial establishments selling tires, accessories and parts for motor vehicles.
- (11) - Commercial or vocational schools in which all activities are for the exclusive purposes of instruction, and provided that the premises to be used for this purposes are separated by more than fifty (50) meters from any existing or already authorized gasoline station. The minimum required separation shall be measured between the closest points of both lots.
- (12) - Establishments for personal services.
- (13) - Gasoline stations, in accordance with the provisions of Sections 27.00 and 28.00 of Topic 6 of this Regulation.
- (14) - Stations for the collection and distribution of clothing and other materials that are taken to and brought from cleaning and dyeing establishments.
- (15) - Photographic studios.
- (16) - Retail hardware stores that do not include the sale of lumber, sand, stone, cement, plaster, iron beams and other heavy construction material.
- (17) - Hotels or inns when authorized by the Board.
- (18) - Hospitals designed to be noise-proof, for the treatment of animals, provided that animals are not kept outside the building.
- (19) - ~~H~~ospitals and general medicine dispensaries, except

for the treatment of demented patients or contagious diseases.

- (20) - Teaching institutions, provided that the premises used for this purpose maintain a separation of not less than fifty (50) meters from any existing or already-authorized gasoline station. The minimum required separation shall be measured from the closest points between the two premises.
- (21) - Religious institutions, provided that the premises to be used for this purpose maintain a separation of not less than fifty (50) meters from any existing or already-authorized gasoline station. The minimum required separation shall be measured from the closest points between the two premises.
- (22) Automatic coin-operated laundries.
- (23) - Offices.
- (24) - Shoe repair shops.
- (25) - Restaurants, cafeterias, soda fountains, bars or coffee shops, provided that the lot on which such establishments are situated does not border on a residential district.
- (26) - Beauty salons and academies.
- (27) - Tailoring shops that do not employ more than fifteen (15) people in that activity.
- (28) - The following activities that do not employ more than fifteen (15) people, when authorized by the Board, provided that the industrial process involved

does not produce smoke, dust, gasses, noises or other conditions that may be prejudicial to the adjacent areas:

- (a) - Commercial laundries.
- (b) - Bakeries or pastry shops that use electric ovens or fluid gas and whose products are sold at retail only within the premises.
- (c) - Shops for the repair of bicycles and other household appliances and instruments.
- (d) - Any other industrial activity in tune with the sector where it is to be established and which shows, by means of the design of the proposed installation, that it will protect the health, security and general well-being of the possible occupants of the building and the residents of the bordering properties, and that it will not diminish the provision of light and air to the building that it will use or to the neighboring properties, or increase the danger of fire, or bring about a reduction or prejudice to the values of the properties established in the sector.

(29) - Housing.

13.03 - Uses of the Second Floor Level in C-1 Districts. - In C-1

Districts, buildings or appurtenant structures on the second floor level shall be used for the purposes specified in the following:

- (1) - Barber shops.
- (2) - Child care centers.
- (3) - Motion picture houses, provided that the premises to be used for this purpose do not border on a residential district.
- (4) - Civic clubs for non-profit purposes, in accordance with the requirements for such clubs in residential districts specified in Subsection 54.03 of Topic 16 of this Regulation.
- (5) - Establishments for personal services.
- (6) - Hotels and inns, when authorized by the Board.
- (7) - Hospitals and general medicine dispensaries, except for the treatment of demented patients or contagious diseases.
- (8) - Teaching institutions, provided that the premises to be used for this purpose are separated by at least fifty (50) meters from any existing or already-authorized gasoline station. The minimum required separation shall be measured between the closest points of the two lots.
- (9) - Religious institutions, provided that the premises to be used for this purpose maintain a separation of at least fifty (50) meters from any existing or already-authorized gasoline station. The minimum required separation shall be measured between the closest points of the two lots.
- (10) - Offices.

(11) - Beauty salons and academies.

(12) - Housing.

13.04 - Heights in C-1 Districts. - No building shall have more than two (2) floors nor exceed nine (9) meters in height. Greater height shall be permitted provided that any floor above the second floor is used exclusively for housing and that the gross floor space and the width of any yard comply with the stipulations of this Regulation for the district.

Mezzanines shall not be counted as a floor when their area is less than thirty-three percent (33%) of the total area of the ground floor, provided they are used for purposes related to the principal activity permitted on that floor.

13.05 - Sizes of Lots in C-1 Districts. - All lots formed subsequently to the effective date of this Regulation shall have an area of not less than three hundred (300) square meters and a width of not less than twelve (12) meters.

13.06 - Population Density in C-1 Districts. - One family shall be permitted for each one hundred (100) square meters of lot area.

In apartment house projects in this district, permission shall be given to convert the number of basic housing units into a larger number of smaller units on the basis of the number of bedrooms per type of apartment, in accordance with the following relationship:

| Number of Bedrooms per Apartment | Equivalent in Terms of Basic Housing Unit |
|-------------------------------------|--|
| 0 ("studio or efficiency") | 0.4 |
| 1 | 0.6 |
| 2 | 0.8 |
| 3 | 1.0 |

When more than three (3) bedrooms per apartment are provided, each additional bedroom shall be computed at the rate of 0.2 housing unit extra. In no case shall the number of basic housing units exceed the number of families permitted on the lot.

13.07 - Area of Occupation in C-1 Districts. - The area of occupation shall not exceed seventy percent (70%) of the lot area.

13.08 - Gross Floor Space in C-1 Districts. - The gross floor space shall not exceed one hundred and forty percent (140%) of the lot area. In no case shall the gross floor space of any floor above the first floor exceed the percentage maximum of the area of occupation permitted in the district.

13.09 - Front Yards in C-1 Districts. - No front yard shall be required for the first two (2) floors of buildings, except in the following combinations of circumstances:

- (1) When the lot fronts on a sidewalk with a width less than two (2) meters.

In these cases, a front yard shall be required with a depth equal to the difference between two (2) meters and the width of the existing sidewalk.

- (2) When the lot is situated in the same block and fronts

on the same side of the street as lots that are in a residential district.

In these cases, a front yard shall be required with a depth no less than that required for the residential district.

For any floor permitted above the second floor, a front yard [setback] with a depth of not less than two (2) meters nor less than the depth stipulated in Clause 2 of this Subsection, whichever is greater, shall be required. In no case shall the depth of the front yard [setback] to be provided for the floors above the first two (2) floors of a building be less than one-fifth ($1/5$) of the height of the building.

13.10 - Side Yards in C-1 Districts. - Two wide yards shall be required, each with a width not less than two (2) meters nor less than a fifth ($1/5$) of the height of the building, whichever is greater. Notwithstanding the preceding, permission may be given to have no side yards for the first two (2) floors of the building, except on the side of a lot that borders on a residential district or an area for public use, in which case the side yard for the first two (2) floors shall be not less than two (2) meters in width, independently of the height of the building. Any side yard or part of a side yard that borders on a street shall be considered as a front yard and shall comply with the size requirements for front yards in the district.

13.11 - Rear Yards in C-1 Districts. - A rear yard with a depth of

not less than three (3) meters nor less than one-fifth ($1/5$) the height of the building, whichever is greater, shall be required. Any rear yard or part of a rear yard that borders on a street shall be considered to be a front yard and shall comply with the size requirements for front yards in the district.

- 13.12 - Accessory Buildings and Uses in C-1 Districts. - Accessory buildings and uses shall conform with the provisions of Section 37.00 of Topic 10 of this Regulation. Motors, electric energy substations, compressors or refrigeration units, must be located as part of the principal building without extending beyond the general lines of the building.
- 13.13 - Parking Areas in C-1 Districts. - For the uses permitted in C-1 Districts, parking areas shall be provided in accordance with the provisions of Section 31.00 of Topic 8 of this Regulation.
- 13.14 - Marquees for the Parking of Vehicles in C-1 Districts. - When it is desired to construct marquees within side yards, for the exclusive use of parking a vehicle of any permitted or existing housing unit, such marquees shall not be counted for the purposes of the permitted area of occupation in the district, provided that the marquees comply with the provisions of Sections 32.00 and 34.00 of Topic 9 of this Regulation.
- 13.15 - Loading and Unloading Space in C-1 Districts. - Any building or part of a building occupied or used for commercial or industrial purposes, or for the exhibition of articles, or

as a hospital, shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor space or part of that amount in excess of five hundred (500) square meters.

13.16 - Towers and Fences in C-1 Districts. - Towers and fences shall conform with the provisions of Subsections 30.01 and 30.02 of Topic 7 of this Regulation.

13.17 - Signs in C-1 Districts. - Signs shall conform with the provisions established in Sections 47.00, 49.00, 51.00 and 52.00 of Topic 15 of this Regulation.

13.18 - Extending Structures in C-1 Districts. - Cornices, eaves, roofs and other architectural features may extend out within conforming yards up to a distance no greater than one (1) meter. Permission shall likewise be given for the extension of open balconies to a distance of not more than one (1) meter within the front yard and the rear yard, provided there is a separation of not less than five (5) feet from the balcony to the side lot line or the rear lot line.

In the case of buildings for which a front yard is not required, cornices, eaves, roofs, open extending balconies and other architectural features may extend up to a distance of not more than one (1) meter within the width of the existing sidewalk. In these cases, the extension of open balconies shall not be permitted beyond a minimum separation

of five (5) feet from any side or rear lot line.

When a front yard of less than one (1) meter in depth is required, permission shall be given for cornices, eaves, roofs, open extending balconies and other architectural features to extend within the width of the existing sidewalk up to a distance equal to the difference between one (1) meter and the depth of the front yard to be provided. In these cases, the extension of the open balconies shall not be permitted to have a separation of less than five (5) feet from any side or rear lot line.

SECTION 14.00 - C-2 DISTRICTS

14.01 - Purposes of the C-2 District. - This district is established for the purpose of classifying existing commercial areas or for the creation of new areas that will supply the needs of persons in the vicinity or in residential centers.

14.02 - Uses in C-2 Districts. - In C-2 Districts, buildings and appurtenances shall be used for the purposes indicated in the following:

- (1) - Off-track horse agencies.
- (2) - Car rentals.
- (3) - Parking areas for light vehicles in lots or in structures built for the purpose, provided they comply with the stipulations for design of parking lots in Subsection 31.02 of Topic 8 of this Regulation.
- (4) - Barber shops.
- (5) - Banking and financial houses.
- (6) - Pawnshops.
- (7) - Motion picture houses, provided that the lot or structure in which this is situated does not border on a residential district.
- (8) - Commercial establishments selling tires, accessories, and parts for motor vehicles.
- (9) - Commercial establishments selling paint.
- (10) - Retail stores selling articles for consumption and current use in the home.
- (11) - Commercial and vocational schools in which all activities are exclusively for the purposes of instruction, and

provided that the premises utilized for these purposes is separated by no less than fifty (50) meters from any existing or already-authorized gasoline station. The minimum required separation shall be measured between the closest point of the two premises.

- (12) - Establishments for personal services.
- (13) - Gasoline stations in accordance with the provisions of Sections 27.00 and 28.00 of Topic 6 of this Regulation.
- (14) - Stations for the collection and distribution of clothing and other materials to be taken to and brought from dry cleaning and dyeing establishments.
- (15) - Radio and television studios.
- (16) - Photographic studios.
- (17) - Retail hardware stores that do not include the sale of lumber, sand, stone, cement, plaster, steel beams or other heavy construction material.
- (18) - Funeral parlors.
- (19) - Gymnasiums.
- (20) - Inns.
- (21) - Hospitals or general medicine dispensaries, except for the treatment of demented patients or contagious diseases.
- (22) - Animal hospitals designed to be noise-proof, provided that no animals are kept outside the building.
- (23) - Hotels.
- (24) - Teaching institutions, provided that the premises used for this purpose maintains a separation of not less than

fifty (50) meters from any existing or previously-authorized gasoline station. The minimum separation shall be measured between the closest points of the two lots.

- (25) - Religious institutions, provided that the premises to be used for this purpose maintains a separation of not less than fifty (50) meters from any existing or previously-authorized gasoline station. The minimum separation shall be measured between the closest points of the two lots.
- (26) - Automatic coin-operated laundries.
- (27) - Hat cleaning and conditioning establishments.
- (28) - Offices.
- (29) - Market places.
- (30) - Commercial establishments for recreation, provided that the lot on which such place or structure is situated does not border on a residential district.
- (31) - Restaurants, cafeterias, soda fountains, bars or coffee houses, provided that the lot on which such activities are situated does not border on a residential district.
- (33) - Beauty salons and academies.
- (34) - Tailoring establishments that do not employ more than twenty-five (25) persons in that activity.
- (35) - Theaters.
- (36) - Transmitting towers for radio or television, with the authorization of the Board.

(37) - Establishments for the sale of automobiles.

(38) - The following industrial activities that do not employ more than twenty-five (25) persons, with the authorization of the Board, provided that the industrial process involved does not produce smoke, dust, gasses, noise or vibrations or other conditions that may be prejudicial to the adjacent areas:

- (a) - Bakeries or pastry establishments that use electric ovens or fluid gas and whose products are sold at retail only with the establishment.
- (b) - Commercial laundries.
- (c) - Workshops for dress-making, lace-making or the manufacture of suits.
- (d) - Establishments for the repair and manufacture of jewelry.
- (e) - Workshops for the repair of bicycles, batteries, household appliances and articles, typewriters, or other similar artifacts, instruments or articles.
- (f) - Workshops for the production of awnings to give protection from rain and sun, and other canvas products.
- (g) - Any other industrial activity in tune with the sector where it is to be established, when it is shown, by means of the design or the proposed installation, that protection is given to the health, security and general well-being of the

possible occupants of the building and the residents of the bordering properties, and that there will be no diminution of the provision of light and air to the building to be occupied or to the neighboring properties, or any increase in the danger of fire, or that there will any reduction in, or prejudice to the values of the properties established in the sector.

14.03 - Heights in C-2 Districts. - No building shall have more than five (5) floors nor exceed in height two (2) times the width of the street on which it fronts. A greater height shall be permitted provided that the gross floor space and the width of any yard comply with the provisions of this Regulation for the district.

Mezzanine floors shall not count as a floor when their floor space is less than thirty-three percent (33%) of the total floor space of the floor below them, provided that they are used for purposes related with the principal activity permitted on the said floor.

When a lot fronts on two or more streets, the maximum height of the building shall be determined on the basis of the widest street, up to a horizontal distance of thirty (30) meters measured perpendicularly from the edge of that widest street.

14.04 - Size of Lots in C-2 Districts. - All lots formed subsequently to the effective date of this Regulation shall have an area of not less than four hundred and fifty (450) square meters and a width of not less than fifteen (15) meters.

14.05 - Population Density in C-2 Districts. - One family shall be permitted for each seventy (70) square meters of lot area.

In apartment house projects in this district, permission may be given to convert the number of basic units permitted into a larger number of smaller units based on the number of bedrooms per type of apartment, in accordance with the following relationship:

| Number of Bedrooms per Apartment | Equivalents in Terms of Basic Housing Unit |
|-------------------------------------|---|
| 0 ("studio or efficiency") | 0.4 |
| 1 | 0.6 |
| 2 | 0.8 |
| 3 | 1.0 |

When more than three (3) bedrooms are provided per apartment, each additional bedroom shall be computed at the rate of 0.2 housing unit extra. In no case shall the number of basic housing units exceed the number of families permitted on the lot.

14.06 - Area of Occupation in C-2 Districts. - The area of occupation shall not exceed the percentage maximum for the size of lot that, in terms of the different types of lots, is indicated by the following:

| Type of Lot | Area of Occupation, Per- centage Maximum Permitted for the Size of Lot |
|-------------------------------|--|
| Interior lot | 75 |
| Corner lot | 85 |
| Lot with two or three corners | 95 |
| Lot occupying a full block | 100 |

14.07 - Gross Floor Space in C-2 Districts. - The gross floor space shall not exceed the percentage maximum for the size of lot that, in terms of the different types of lots, is indicated in the following:

| Type of Lot | Gross Floor Space, Percentage Maximum Permitted for the Size of Lot |
|-------------------------------|---|
| Interior lot | 375 |
| Corner lot | 425 |
| Lot with two or three corners | 475 |
| Lot occupying a full block | 500 |

In no case shall the gross floor space of any floor above the first floor exceed the percentage maximum of occupied area permitted in the district for each type of lot.

14.08 - Front Yards in C-2 Districts. - Front yards shall not be required for the first three (3) floors of buildings, except when the following circumstances exist:

- (1) - When the lot fronts on a sidewalk with a width of less than two (2) meters.

In these cases, a front yard shall be required with a depth equal to the difference between two (2) meters and the width of the existing sidewalk.

- (2) - When the lot is situated in the same block and fronts on the same side of a street as lots included in a Residential District.

In these cases, a front yard shall be required with a depth no less than that specified for the Residential

District.

For any floor permitted above the third floor, a front yard [setback] shall be required with a depth not less than two (2) meters nor less than that required in clause (2) of this Subsection, whichever is greater. In no case shall the depth of the front yard [setback] to be provided for the floors permitted above the first three (3) floors of a building, be less than a fifth ($1/5$) of the height of the building.

14.09 - Side Yards in C-2 Districts. - Two (2) side yards shall be required with a width of not less than two (2) meters nor less than a fifth ($1/5$) of the height of the building, whichever is the greater. Notwithstanding the preceding, permission may be given to have no side yards for the first three (3) floors of the building, except on the side of a lot that borders on a Residential District or an area for public use in which case the width of the side yard for the first three (3) floors shall be not less than two (2) meters, independently of the height of the building. Any side yard or part of a side yard that borders on a street shall be considered as a front yard and shall comply with the requirements for front yards in the district.

14.10 - Rear Yards in C-2 Districts. - One (1) rear yard shall be required with a depth of not less than three (3) meters nor less than one-fifth ($1/5$) of the height of the building, whichever is the greater. In the cases of lots on two or three corners, a rear yard shall be required only when the lot

borders on a residential district or an area for public use. Any rear yard or part of a rear yard that borders on a street shall be considered as a front yard and shall comply with the size requirements for front yards in the district.

- 14.11 - Accessory Buildings and Uses in C-2 Districts. - Accessory buildings and uses shall conform with the provisions of Section 37.00 of Topic 10 of this Regulation. Motors, electric energy substations, compressors and refrigeration units must be located as a part of the principal building without extending beyond the general lines of the building.
- 14.12 - Parking Areas in C-2 Districts. - For the uses permitted in C-2 Districts, parking lots shall be provided according to the provisions of Section 31.00 of Topic 8 of this Regulation.
- 14.13 - Marquees for the Parking of a Vehicle in C-2 Districts. - When it is desired to construct marquees within side yards, for the exclusive use of parking a vehicle of any permitted or existing housing unit, such marquees shall not be counted for the purposes of the permitted area of occupation in the district, provided that the marquees comply with the provisions of Sections 32.00 and 34.00 of Topic 9 of this Regulation.
- 14.14 - Loading and Unloading Space in C-2 Districts. - Any building or part of a building occupied or used for purposes of commerce, industry, exhibition of articles, for a hotel or a hospital, shall be provided with a loading and unloading space of a size not less than eight (8) meters by three

(3) meters for each one thousand five hundred (1,500) square meters of gross floor space or part of that amount in excess of five hundred (500) square meters.

14.15 - Towers and Fences in C-2 Districts. - Towers and fences shall conform with the provisions of Subsections 30.01 and 30.02 of Topic 7 of this Regulation.

14.16 - Signs in C-2 Districts. - Signs shall conform with the provisions of Sections 47.00, 49.00, 51.00 and 52.00 of Topic 15 of this Regulation.

14.17 - Extending Structures in C-2 Districts. - Cornices, eaves, roofs and other architectural features may extend within complying yards up to a distance of not more than one (1) meter. Permission shall likewise be given for the extension of open balconies to a distance of not more than one (1) meter within conforming front and rear yards, provided there is a separation of not less than five (5) feet from the balcony to the side lot line or the rear lot line.

When no front yard is required, cornices, eaves, roofs, open extending balconies and other architectural features may extend up to a distance of not more than one (1) meter within the width of the existing sidewalk. In these cases, the extension of open balconies shall not be permitted beyond a minimum separation of five (5) feet from any side or rear lot line.

When a front yard is required with a depth of less than one (1) meter, permission shall be given for cornices, eaves, roofs, open extending balconies and other architect-

ural features to extend up to a distance equal to the difference between one (1) meter and the depth of the front yard to be provided. In these cases, the extension of open balconies shall not be permitted beyond a minimum separation of five (5) feet from any side or rear lot line.

SECTION 15.00 - C-3 DISTRICTS

15.01 - Purposes of the C-3 District. - This district is established for the purpose of classifying existing commercial areas of a central character.

15.02 - Uses in C-3 Districts. - In C-3 Districts, buildings and appurtenances shall be used for the following purposes:

- (1) - Off-track horse agencies.
- (2) - Car rentals.
- (3) - Storage of furniture and domestic articles.
- (4) - Parking areas for light vehicles in lots or structures built for the purpose, provided they comply with the provisions for the design of parking areas in Subsection 31.02 of Topic 8 of this Regulation.
- (5) - Barber shops.
- (6) - Banking and financial houses.
- (7) - Pawnshops.
- (8) - Motion picture houses, provided that the lot on which they are situated or the structure in which they are located does not border upon a residential district.
- (9) - Commercial establishments selling tires, accessories and parts for motor vehicles.
- (10) - Commercial establishments selling paints.
- (11) - Commercial establishments selling articles for consumption or current use in the home.
- (12) - Commercial establishments or storehouses for films, and motion picture studios.
- (13) - Commercial and vocational schools in which all

activities that are carried out are for the exclusive purpose of instruction, and provided that the premises to be used for these purposes maintains a separation of not less than fifty (50) meters from any existing or previously-authorized gasoline station. The minimum required separation shall be measured between the closest points of the two lots.

- (14) - Establishments for personal services.
- (15) - Gasoline stations in accordance with the provisions of Sections 27.00 and 28.00 of Topic 6 of this Regulation.
- (16) - Stations for the collection and distribution of clothing and other materials to be taken to and brought from cleaning and dyeing establishments.
- (17) - Dancing and music studios.
- (18) - Radio and television studios.
- (19) - Photographic studios.
- (20) - Retail hardware stores that do not include the sale of lumber, sand, stone, cement, plaster or steel beams, or other heavy construction materials.
- (21) - Funeral parlors.
- (22) - Gymnasiums.
- (23) - Inns.
- (24) - Hospitals or general medicine dispensaries, except for the treatment of demented patients or contagious diseases.
- (25) - Animal hospitals designed to be sound-proof, provided

that no animals are maintained outside the building.

- (26) - Hotels.
- (27) - Printing shops, publishing houses, and engraving establishments.
- (28) - Teaching institutions, provided that the premises to be used for this purpose maintain a separation of not less than fifty (50) meters from any existing or previously-authorized gasoline station. The minimum required separation shall be measured between the closest points of the two lots.
- (29) - Religious institutions, provided that the premises to be used for this purpose maintain a separation of not less than fifty (50) meters from any existing or previously-authorized gasoline station. The minimum required separation shall be measured between the closest points of the two lots.
- (30) - Automatic coin-operated laundries.
- (31) - Establishments for cleaning and conditioning hats.
- (32) - Offices.
- (33) - Market places.
- (34) - Commercial establishments for recreation.
- (35) - Shoe repair shops.
- (36) - Restaurants, cafeterias, soda fountains, bars or coffee shops.
- (37) - Beauty salons and academies.
- (38) - Tailoring establishments that employ not more than thirty-five (35) persons in that activity.

- (39) - Theaters and Halls for assemblies or concerts.
- (40) - Radio and television transmitting towers, when authorized by the Board.
- (41) - Establishments for the sale of automobiles.
- (42) - Establishments for the sale of heavy vehicles and machinery.
- (43) - Housing.
- (44) - The following industrial activities that do not employ more than thirty-five (35) persons, when authorized by the Board, provided that industrial process involved does not produce smoke, dust, fumes, noises or vibrations or other conditions that may be prejudicial to the adjacent areas.
 - (a) - Bakeries and pastry establishments that use electric ovens or fluid gas and whose products are sold at retail only within the premises.
 - (b) - Commercial laundries.
 - (c) - Establishments for the repair and manufacture of jewelry.
 - (d) - Shops for dress-making, lace-making or manufacture of suits.
 - (e) - Shops for the repair of bicycles, batteries, household appliances and articles, typewriters or other similar artefacts, instruments or articles.
 - (f) - Shops for repairing, cleaning, painting or light manufacture that do not include cleaning

and dyeing establishments that use cleaning fluids that have a petroleum base or any other establishment that would carry out activities that could be injurious or offensive or could be in some way dangerous to the public health and security.

(g) - Shops for the production of awnings to give protection against rain and sun and other canvas articles.

(h) - Any other industrial activity in tune with the sector where it is to be established, when it is shown, by the design or the proposed installation, that protection is afforded for the health, security and general well-being of the possible occupants of the building and the residents of the bordering properties, and that there will be no diminution in the provision of light and air to the building to be occupied or to the neighboring properties, nor any increase in the danger of fire, or any reduction in, or prejudice to the values of the properties established in the sector.

15.03 - Heights in C-3 Districts. - No building shall have more than six (6) floors nor exceed in height two (2) times the width of the street on which it fronts. A greater height shall be permitted except in those cases considered under the provisions of the Regulation for Ancient and Historic Zones (Planning Regulation No. 5), provided that the gross floor space and the width

the width of any yard comply with the provisions of this Regulation for the district.

When a lot fronts on two or more streets, the maximum height of the building shall be determined on the basis of the widest street, up to a horizontal distance of thirty (30) meters measured perpendicularly from the border of that widest street.

Mezzanine floors shall not count as a floor when the floor space is less than thirty-three percent (33%) of the total area of the ground floor of the building, provided that the mezzanines are used for purposes related to the principal activity permitted on said floor.

15.04 - Size of Lots in C-3 Districts. - All lots formed subsequently to the effective date of this Regulation shall have an area of not less than five hundred (500) square meters and a width of not less than fifteen (15) meters.

15.05 - Population Density in C-3 Districts. - One family shall be permitted for each sixty (60) square meters of lot area.

In apartment house projects in this district, permission shall be given to convert the number of basic housing units into a larger number of smaller units on the basis of the number of bedrooms per type of apartment, and in accordance with the following relationship:

| Number of Bedrooms per Apartment | Equivalent in Terms of Basic Housing Unit |
|-------------------------------------|--|
| 0 ("studio or efficiency") | 0.4 |
| 1 | 0.6 |
| 2 | 0.8 |
| 3 | 1.0 |

15.06 - Area of occupation in C-3 Districts. - The area of occupation shall not exceed the maximum percentage for the size of lot that, in terms of the different types of lots, is indicated in the following:

| Type of Lot | Area of Occupation, Maximum Percentage Permitted of the Lot Size |
|-------------------------------|--|
| Interior lot | 75 |
| Corner lot | 85 |
| Lot on two or three corners | 95 |
| Lot occupying an entire block | 100 |

15.07 - Gross Floor Space in C-3 Districts. - The gross floor space shall not exceed the maximum percentage of the size of lot that, in terms of the different types of lots, is indicated in the following:

| Type of Lot | Gross Floor Space, Maximum Permitted Percentage of the Size of Lot |
|-------------------------------|--|
| Interior lot | 450 |
| Corner lot | 510 |
| Lot on two or three corners | 570 |
| Lot occupying an entire block | 600 |

In no case shall the gross floor space of any floor above the first floor exceed the maximum percentage of area of occupation permitted in the district for each type of lot.

15.08 - Front Yards in C-3 Districts. - No front yard shall be required for the three (3) first floors of buildings, except when the following circumstances exist:

- (1) - When the lot fronts on a sidewalk with a width less than two (2) meters.
- (2) In these cases, a front yard shall be required with a depth equal to the difference between two (2) meters and the width of the existing sidewalk.
- (2) - When the lot is situated in the same block and fronts on the same side of a street as lots included in a residential district.

In these cases, a front yard shall be required with a depth not less than that required for the residential district.

For any floor permitted above the third floor, a front yard setback shall be required with a depth of no less than two (2) meters nor less than that required by clause (2) of this Subsection, whichever is greater. In no case shall the depth of the front yard setback to be provided for the floors permitted above the three (3) first floors of a building be less than a fifth (1/5) of the height of the building.

In the cases considered under the provisions of the Regulation for Ancient and Historic Zones (Planning Regulation No. 5), no front yards shall be required.

15.09 - Side Yards in C-3 Districts. - Two (2) side yards shall be required, each with an width of not less than two (2) meters nor less than a fifth (1/5) of the height of the building, whichever is greater. Notwithstanding the preceding, per-

mission may be given for the first three (3) floors of a building to have no side yards except on the side of the lot that borders on a residential district or an area for public use, in which case the width of the side yard for the first three (3) floors shall be not less than two (2) meters, independently of the height of the building. Any side yard or part of a side yard that borders on a street shall be considered as a front yard and shall comply with the size requirements for side yards in the district.

In the cases considered under the provisions of the Regulation on Ancient and Historic Zones (Planning Regulation No. 5), no side yards shall be required.

15.10 - Rear Yards in C-3 Districts. - One (1) rear yard of a depth of not less than three (3) meters nor less than a fifth ($1/5$) of the height of the building, whichever is greater, shall be required. On corner lots which form part of a totally commercial block, the rear yard may be situated in the interior one-fourth ($1/4$) of the lot with its equivalent area, except that in these cases no yard may be less than three (3) meters by five (5) meters. In the cases of lots on two or three corners, a rear yard shall be required only when the lot borders on a residential district or on an area for public use. Any rear yard or part of a rear yard that borders on a street shall be considered as a front yard and shall comply with the size requirements for front yards in the district.

15.11 - Accessory Buildings and Uses in C-3 Districts. - Accessory buildings and uses shall conform with the provisions of

Section 37.00 of Topic 10 of this Regulation. Motors, electric energy substations and compressors or refrigeration units must be located as a part of the principal building without extending beyond the general lines of the building.

- 15.12 - Parking Areas in C-3 Districts. - For the uses permitted in C-3 Districts, parking areas shall be provided in accordance with the provisions of Section 31.00 of Topic 8 of this Regulation.
- 15.13 - Marquees for the Parking of a Vehicle in C-3 Districts. - When it is desired to construct marquees within side yards for exclusive use in the parking of a vehicle of any existing or permitted housing unit, these marquees shall not count for the purposes of the permitted area of occupation in the district, provided that the construction of marquees comply with the provisions of Sections 32.00 and 34.00 of Topic 9 of this Regulation.
- 15.14 - Loading and Unloading Space in C-3 Districts. - Any building or part of a building occupied or used for purposes of commerce, industry, storage, exhibition of articles, for a hotel or a hospital, shall be provided with a space for loading and unloading of a size no less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor space or part of that amount in excess of five hundred (500) square meters.
- 15.15 - Towers and Fences in C-3 Districts. - Towers and fences shall conform with the provisions of Subsections 30.01 and 30.02 of Topic 7 of this Regulation.

15.16 - Signs in C-3 Districts. - Signs shall conform with the provisions of Sections 47.00, 49.00, 51.00 and 52.00 of Topic 15 of this Regulation.

15.17 - Extending Structures in C-3 Districts. - Cornices, eaves, roofs and other architectural features may extend within conforming yards up to a distance of not more than one (1) meter. Likewise, permission shall be given for the extension of open balconies up to a distance of not more than one (1) meter within the front and rear yards, provided that such balconies have a separation of not less than five (5) feet from any side lot line or rear lot line.

When no front yard is required, cornices, eaves, roofs, extended open balconies and other architectural features may extend up to a distance of not more than one (1) meter within the existing sidewalk. In these cases, the extension of open balconies shall have a permitted minimum separation of five (5) feet from any side or rear lot line.

When a front yard is required with a depth of less than one (1) meter, permission shall be given for the cornices, eaves, roofs, extended open balconies and other architectural features to extend within the width of the existing sidewalk up to a distance equal to the difference between one (1) meter and the depth of the front yard to be provided. In these cases, the extension of the open balconies shall not be permitted with a separation of less than five (5) feet from any side or rear lot line.

SECTION 16.00 - C-4 DISTRICTS

16.01 - Purposes of the C-4 District. - This district is established for the purpose of classifying developed centers of commerce in conformity with the provisions of Subsection 45.01 of Topic 14 of this Regulation.

16.02 - Uses in C-4 Districts. - In C-4 Districts, buildings and appurtenances shall be used for the following purposes:

- (1) ~~Off-track horse racing agencies.~~
- (2) - Barber shops.
- (3) - Banking and financial houses.
- (4) - Motion picture houses.
- (5) - Retail establishments for the sale of articles of consumption and daily use in the home.
- (6) - Gasoline stations in accordance with the provisions of Sections 27.00 and 28.00 of Topic 6 of this Regulation.
- (7) - Stations for the collection and distribution of clothing and other materials to be taken to and brought from cleaning and dyeing establishments.
- (8) - Photographic studios.
- (9) - Automatic coin-operated laundries.
- (10) - Offices on the first floor.
- (11) - Bakeries and pastry establishments that use electric ovens or fluid gas and whose products are sold at retail within the premises.
- (12) - Commercial establishments for recreation.
- (13) - Shoe repair shops.
- (14) - Restaurants, cafeterias, soda fountains and bars.

(15) - Beauty salons.

(16) - Tailoring establishments.

(17) - Establishments for personal services.

16.03 - Heights in C-4 Districts. - No building shall have more than two (2) floors not exceed nine (9) meters in height. A greater height shall be permitted provided that the gross floor space is not greater than that permitted for the district.

The mezzanine floors shall not be counted as a floor when their floor space is less than thirty-three percent (33%) of the total area of the ground floor of the building, provided that they are used for purposes related to the principal activity permitted on that floor.

16.04 - Sizes of Lots in C-4 Districts. - The lot area shall be not less than eight thousand (8,000) square meters.

16.05 - Area of Occupation in C-4 Districts. - The area of occupation shall not exceed thirty percent (30%) of the lot area.

16.06 - Gross Floor Space in C-4 Districts. - The gross floor space shall not exceed sixty percent (60%) of the lot area. In no case shall the gross floor space of any floor over the first floor exceed the maximum percentage of the area of occupation permitted in the district.

16.07 - Yards in C-4 Districts. - Yards shall be required with a depth or a width of not less than fifteen (15) meters.

16.08 - Accessory Uses in C-4 Districts. - Accessory uses shall be permitted as a part of the principal building.

Motors, electric energy substations and compressors or refrigeration units must be located as a part of the principal

building without extending beyond the general lines of the building.

- 16.09 - Parking Areas in C-4 Districts. - For the uses permitted in C-4 Districts, parking lots shall be provided in accordance with the provisions of Section 31.00 of Topic 8 of this Regulation.
- 16.10 - Loading and Unloading Space in C-4 Districts. - Any building or part of a building occupied or used for the permitted purposes in a marketing center shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor space or part of that amount in excess of two hundred (200) square meters.
- 16.11 - Towers and Fences in C-4 Districts. - Towers and fences shall conform with the provisions of Subsections 30.01 and 30.02 of Topic 7 of this Regulation.
- 16.12 - Signs in C-4 Districts. - Signs shall conform with the provisions of Sections 47.00, 49.00, 51.00 and 52.00 of Topic 15 of this Regulation.
- 16.13 - Extending Structures in C-4 Districts. - Cornices, eaves, roofs, open extending balconies and other architectural features may be permitted within conforming yards up to distance of not more than one (1) meter of extension.

SECTION 17.00 - C-5 DISTRICTS

- 17.01 - Purposes of the C-5 District. - This district is established for the purpose of classifying extensive commercial centers of recreation developed in conformity with the provisions of Subsection 45.02 of Topic 14 of this Regulation.
- 17.02 - Uses in C-5 Districts. - In C-5 Districts, buildings and appurtenances shall be used for the purposes indicated in the following, upon authorization by the Board:
- (1) - Nautical activities.
 - (2) - Airports.
 - (3) - Drive-in motion picture theaters.
 - (4) - Stadiums, coliseums, athletic fields and similar installations.
 - (5) - Motion picture studios.
 - (6) - Heliports.
 - (7) - Hippodromes, velodromes and other similar installations.
 - (8) - Commercial parks for recreation.
- 17.03 - Buildings, Accessory Uses and Signs in C-5 Districts. - ~~Permission shall be given for buildings, accessory uses and signs necessary for the~~ adequate functioning of the permitted uses and for the safety and comfort of the public, upon authorization by the Board.
- 17.04 - Parking Areas in C-5 Districts. - For the uses permitted in C-5 Districts, parking areas shall be provided in accordance with Section 31.00 of Topic 8 of this Regulation.

SECTION 18.00 - C-6 DISTRICTS

- 18.01 - Purposes of the C-6 District. - This district is established for the purpose of classifying developed commercial facilities, in conformity with the requirements of the Regulation concerning Neighborhood Facilities (Planning Regulation No. 9).
- 18.02 - Uses in C-6 Districts. - In C-6 Districts, building and appurtenances shall be used for the following purposes:
- (1) - Off-track horse agencies.
 - (2) - Barber shops.
 - (3) - Banking and financial establishments.
 - (4) - Pawnshops.
 - (5) - Retail commercial establishments selling consumption articles or products for current use in the home.
 - (6) - Gasoline stations, in accordance with the provisions of Sections 27.00 and 28.00 of Topic 6 of this Regulation.
 - (7) - Stations for the collection and distribution of clothing and other materials to be taken to, and brought from cleaning and dyeing establishments.
 - (8) - Automatic coin-operated laundries.
 - (9) - Offices.
 - (10) - Bakeries and pastry establishments that do not employ more than fifteen (15) persons, which use electric ovens or fluid gas and whose products are sold at retail only within the premises.
 - (11) - Shoe repair shops.
 - (12) - Restaurants, cafeterias, soda fountains, bars, or coffee shops.

- (13) - Beauty salons.
- (14) - Tailoring establishments that do not employ more than fifteen (15) persons in that activity.
- (15) - Establishments for personal services.
- (16) - Shops for the repair of bicycles, or articles of household use, upon authorization of the Board, provided that the process involved does not produce smoke, dust, gasses, noises or vibrations or other conditions that may be prejudicial to the adjacent areas.
- (17) - Housing above the first floor.

18.03 - Additional Uses in C-6 Districts. - In the commercial buildings that form a part of the neighborhood center, as required by the Regulation concerning Neighborhood Facilities (Planning Regulation No. 9), the following uses shall be permitted in addition to those permitted by Subsection 18.02, upon authorization of the Board:

- (1) - Motion picture houses.
- (2) - Civic clubs.
- (3) - Commercial establishments selling tires, accessories and spare parts for motor vehicles which do not include the repair of the vehicles nor the installation of the parts.
- (4) - Commercial and vocational schools in which all activities that are carried out are exclusively for the purposes of instruction.
- (5) - Dancing and music studios.
- (6) - Radio and television studios.

- (7) - Photographic studios.
- (8) - Retail hardware stores that do not include the sale of lumber, sand, stone, cement, plaster, steel beams or other heavy construction materials.
- (9) - Funeral parlors.
- (10) - Inns above the ground floor.
- (11) - Establishments for the cleaning and conditioning of hats.
- (12) - Commercial establishments for recreation.
- (13) - Housing, above the first floor.
- (14) - Industrial activities in tune with the sector where they are to be established, that do not employ more than fifteen (15) persons, upon authorization of the Board, when it is shown, by means of the design or the proposed installation, that they afford protection for the health, security and general well-being of the possible occupants of the building and of the residents of bordering properties and do not diminish the provision of light and air to the building to be occupied or the neighboring properties, nor increase the danger of fire or occasion a reduction in or prejudice to the values of the properties established in the sector.

18.04 - Heights in C-6 Districts. - No building shall have more than two (2) floors nor exceed nine (9) meters in height. A greater height shall be permitted provided that the gross floor space and the width of any yard comply with the specifications established for this district by this Regulation.

Mezzanine floors shall not count as a floor when their

floor space is less than thirty-three percent (33%) of the total floor space of the floor below them, provided that their uses are related to the principal permitted activity of that floor.

18.05 - Population Density in C-6 Districts. - One family shall be permitted for each one hundred and fifty (150) square meters of lot area.

In apartment house projects in this district, permission shall be given to convert the number of basic housing units permitted into a larger number of smaller units, on the basis of the number of bedrooms per type of apartment, and in accordance with the following relationship:

| Number of Bedrooms per Apartment | Equivalent in Terms of Basic Housing Unit |
|-------------------------------------|--|
| 0 ("studio or efficiency") | 0.4 |
| 1 | 0.6 |
| 2 | 0.8 |
| 3 | 1.0 |

When more than three (3) bedrooms are provided per apartment, each additional bedroom shall be computed at the rate of 0.2 housing unit extra. In no case shall the number of basic housing units exceed the number of families permitted on the lot.

18.06 - Area of Occupation in C-6 Districts. - The area of occupation shall not exceed thirty percent (30%) of the lot area.

18.07 - Gross Floor Space in C-6 Districts. - The gross floor space shall not exceed sixty percent (60%) of the lot area. In no case shall the gross floor space of any floor above the

ground floor exceed the maximum percentage of the area of occupation permitted in the district.

- 18.08 - Yards in C-6 Districts. - Yards with a depth or width of not less than six (6) meters, nor less than a fifth ($1/5$) of the height of the building, whichever is greater, shall be required.

Any side or rear yard, or part of such, which borders on an access or a public walkway shall be considered as a front yard and shall comply with the size requirements for front yards in this district.

In case any of the commercial parcels of land are subdivided into two or more independent lots, side yards shall not be required on the common side of the two commercial lots.

- 18.09 - Accessory Uses in C-6 Districts. - Accessory uses shall be permitted as a part of the principal building.

Motors, electric energy substations and compressors or refrigeration units must be located as a part of the principal building without extending beyond the general lines of the building.

- 18.10 - Parking Areas in C-6 Districts. - For the uses permitted in C-6 Districts, parking areas shall be provided in accordance with the provisions of Section 31.00 of Topic 8 of this Regulation.

- 18.11 - Loading and Unloading Space in C-6 Districts. - Any building or part of a building occupied or used for the purposes permitted in this district, shall be provided with a space

for loading and unloading of a size not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor space or part of that amount in excess of two hundred (200) square meters.

18.12 - Towers and Fences in C-6 Districts. - Towers and fences shall comply with the provisions of Subsections 30.01 and 30.02 of Topic 7 of this Regulation.

18.13 - Signs in C-6 Districts. - Signs shall comply with the provisions of Sections 47.00, 49.00, 51.00 and 52.00 of Topic 15 of this Regulation.

18.14 - Extending Structures in C-6 Districts. - Cornices, eaves, roofs, open extending balconies and other architectural features may extend within conforming yards up to a distance of not more than one (1) meter.

SECTION 19.00 - I-1 DISTRICTS

19.01 - Purposes of the I-1 District. - This district is established for the purpose of classifying areas for the establishment of light industries.

The objective is to use the land assigned for light industries for those purposes, excluding residential uses and certain commercial uses in those districts.

19.02 - Uses in I-1 Districts. - In I-1 Districts, buildings and appurtenances shall be used for the following purposes:

- (1) - Barber shops.
- (2) - Motion picture houses.
- (3) - Commercial establishments for the sale and storage of films, and motion picture studios.
- (5) - Packers of agricultural products.
- (6) - Commercial and vocational schools in which any industrial activity shall be for the exclusive purpose of instruction, and provided that the premises to be used for this purposes are separated by not less than fifty (50) meters from any existing or previously-authorized gasoline station.
- (7) - Establishments for personal services.
- (8) - Parking of vehicles in lots or in structures constructed for this purpose, provided they comply with the specifications for design of parking areas in Subsection 31.02 of Topic 6 of this Regulation.
- (9) - Gasoline stations, in accordance with the provisions of Sections 27.00 and 29.00 of Topic 6 of this Regulation.

- (10) - Dance or music studios.
- (11) - Radio or television studios.
- (12) - Hardware stores, including those that sell construction materials.
- (13) - Funeral parlors.
- (14) - Gymnasiums.
- (15) - Hospitals for the treatment of animals.
- (16) - Printing plants, publishing houses and engraving establishments.
- (17) - Automatic coin-operated laundries.
- (18) - Commercial and industrial laundries.
- (19) - Offices.
- (20) - Bakeries and pastry establishments.
- (21) - Plants for pasteurizing milk and the elaboration of derivative products.
- (22) - Commercial establishments for recreation.
- (23) - Restaurants, cafeterias, soda fountains, bars or coffee houses.
- (24) - Beauty salons.
- (25) - Banking houses or branches.
- (26) - Repair shops.
- (27) - Upholstery establishments.
- (28) - Theaters or halls for assemblies or concerts.
- (29) - Establishments for the sale of heavy machinery and vehicles.
- (30) - Other light industrial activities, when it is shown,

by means of the design, construction and operation, that it affords protection for the health, security and well-being of the occupants of the property to be used and of the bordering properties, and that it will not diminish the provision of light and air to the building to be occupied or used or to the neighboring properties, nor that it will increase the danger of fire or occasion a reduction in, or prejudice to the values of the properties established in the neighboring areas, and that it will assure due protection to the public interest. Permission will not be given for the operation in this district of the uses specified in Sections 21.00 and 22.00 of Topic 4 of this Regulation.

19.03 - Heights in I-1 Districts. - No building shall have more than six (6) floors nor exceed a height two (2) times the width of the street on which it fronts. A greater height shall be permitted provided that the gross floor space and the width of any yard comply with the specifications for this district established by this Regulation.

When a lot fronts on two or more streets, the maximum height of the building shall be determined on the basis of the widest street, up to a horizontal distance of thirty (30) meters measured perpendicularly back from the edge of that widest street.

Mezzanine floors shall not count as a floor when their floor space is less than thirty-three percent (33%) of the total total area of the floor below them, provided that they are

used for purposes related to the principal permitted activity of that floor.

- 19.04 - Size of Lots in I-1 Districts. - All lots formed subsequently to the effective date of this Regulation shall have an area of not less than eight hundred (800) square meters and a width of not less than twenty (20) meters.
- 19.05 - Area of Occupation in I-1 Districts. - The area of occupation shall not exceed seventy-five percent (75%) of the lot area.
- 19.06 - Gross Floor Space in I-1 Districts. - The gross floor space shall not exceed four hundred and fifty percent (450%) of the lot area. In no case shall the gross floor space of any floor above the ground floor exceed the maximum percentage of area of occupation permitted in the district.
- 19.07 - Front Yards in I-1 Districts. - Front yards shall not be required for the first three (3) floors of buildings except when the following circumstances exist:
- (1) - When the lot fronts on a sidewalk of a width less than two (2) meters.
(In these cases, a front yard shall be required with a depth equal to the difference between two (2) meters and the width of the existing sidewalk.
 - (2) - When the lot is situated in the same block and fronts on the same side of a street as lots included in a residential district.

In these cases, a front yard shall be required with a depth not less than that required for the residential district.

For any floor permitted above the third floor, a front yard setback shall be required with a depth of not less than two (2) meters nor less than that required in Clause (2) of this Subsection, whichever is greater. In no case shall the front yard setback to be provided for floors permitted over the third floor of a building be less than one-fifth (1/5) the height of the building.

19.08 - Side Yards in I-1 Districts. - Two (2) side yards shall be required, each with a width of not less than two (2) meters nor less than one-fifth (1/5) the height of the building, whichever is greater. Notwithstanding the preceding, permission may be given for the first three (3) floors of a building to have no side yard, except on the side of the lot that borders on a residential district or a district for public use, in which case the width of the side yard for those three (3) first floors shall be not less than two (2) meters, independently of the height of the building. Any side yard or any part of a side yard that borders on a street shall be considered as a front yard and shall comply with the size requirements for front yards in the district.

19.09 - Rear Yards in I-1 Districts. - One (1) rear yard shall be required with a depth of not less than three (3) meters nor less than one-fifth (1/5) the height of the building, whichever is greater. Any rear yard or part of a rear yard that borders on a street shall be considered to be a front yard and shall comply with the size requirements for front

yards in this district.

- 19.10 - Accessory Buildings and Uses in I-1 Districts. - Accessory buildings and uses shall conform with the provisions of Section 38.00 of Topic 10 of this Regulation.
- 19.11 - Parking Areas in I-1 Districts. - For the uses permitted in I-1 Districts, parking areas shall be established in accordance with the provisions of Section 31.00 of Topic 8 of this Regulation.
- 19.12 - Loading and Unloading Space in I-1 Districts. - Any building or part of a building occupied or used for the purposes of industry, storage, exhibition of articles, commerce, or a hospital shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor space or part of that amount in excess of two hundred (200) square meters.
- 19.13 - Towers and Fences in I-1 Districts. - Towers and fences shall conform with the provisions of Subsections 30.01 and 30.02 of Topic 7 of this Regulation.
- 19.14 - Signs and Announcements in I-1 Districts. - Signs or announcements shall conform with the provisions of Sections 47.00, 50.00, 51.00 and 52.00 of Topic 15 of this Regulation.
- 19.15 - Extending Structures in I-1 Districts. - Cornices, eaves, roofs and other architectural features may extend into conforming yards up to a distance of not more than one (1) meter. Permission shall be given, likewise, for the extension of open balconies up to a distance of not more than

one (1) meter into conforming front and rear yards, provided that these balconies are separated by at least five (5) feet from any side or rear lot line.

When no front yard is required, cornices, eaves, roofs, open extending balconies and other architectural features may extend up to a distance not greater than one (1) meter into the width of the existing sidewalk. In these cases, the extension of open balconies shall not be permitted with a separation of less than five (5) feet from any side or rear lot line.

When a front yard with a width of less than one (1) meter is required, permission shall be given for cornices, eaves, roofs, open extending balconies and other architectural features to extend into the width of the existing sidewalk up to a distance equal to the difference between one (1) meter and the depth of the front yard to be provided. In these cases, the extension of open balconies shall not be permitted with a separation of less than five (5) feet from any side or rear lot line.

SECTION 20.00 - IL-1 DISTRICTS

20.01 - Purposes of the IL-1 District. - This district is established for the purpose of classifying areas for the establishment of light industry. In this district, the height of buildings is limited, and setbacks from the lot lines are required for buildings.

The objective is to have lands assigned for light industries used for such purposes, excluding residential uses and certain commercial uses in these districts.

20.02 - Uses in IL-1 Districts. - In IL-1 Districts, buildings and appurtenances shall be used for the following purposes:

- (1) - Barber shops.
- (2) - Motion picture houses.
- (3) - Commercial establishments or store houses for the wholesale distribution of products other than explosives.
- (4) - Packers of agricultural products.
- (5) - Commercial and vocational schools in which any industrial activity is for the exclusive purpose of instruction, provided that the premises to be used for this purpose shall be separated by at least fifty (50) meters from any existing or previously-authorized gasoline station.
- (6) - Establishments for personal services.
- (7) - Parking of vehicles in lots or structures constructed for this purpose, provided that the design of the parking lots shall conform with the stipulations of Subsection 31.02 of Topic 8 of this Regulation.

- (8) - Gasoline stations, in accordance with the provisions of Sections 27.00 and 29.00 of Topic 6 of this Regulation.
- (9) - Dance or music studios.
- (10) - Hardware stores, including those that sell construction materials.
- (11) - Funeral parlors.
- (12) - Gymnasiums.
- (13) - Animal hospitals.
- (14) - Printing plants, publishing houses and engraving establishments.
- (15) - Automatic coin-operated laundries.
- (16) - Commercial and industrial laundries.
- (17) - Offices.
- (18) - Bakeries and pastry establishments.
- (19) - Plants for pasteurizing milk and elaborating derivative products.
- (20) - Commercial establishments for recreation.
- (21) - Restaurants, cafeterias, soda fountains, bars or coffee houses.
- (22) - Assembly halls.
- (23) - Beauty salons.
- (24) - Banking houses or branches.
- (25) - Repair shops.
- (26) - Upholstery establishments.
- (27) - Theaters.
- (28) - Establishments for the sale of vehicles or heavy machinery.

(29) - Other light industrial activities, when it is shown, by means of the design, construction or operation, that protection is afforded for the health, security and well-being of the occupants of the property to be occupied or used and of the bordering properties, and that there will be no diminution of light and air to building to be constructed or occupied or to the neighboring properties, or that there will be any increase in the danger of fire, or any reduction in, or prejudice to the values of the properties established in the neighboring areas, and that due protection of the public interest is assured. Permission shall not be given in this district for the operations and uses specified in Sections 21.00 and 22.00 of Topic 4 of this Regulation.

20.03 - Heights in IL-1 Districts. - No building shall have more than two (2) floors nor exceed nine (9) meters in height. Greater heights shall be permitted provided that the gross floor space and the width of all yards conforms with the specifications for this district in this Regulation.

Mezzanine floors shall not be counted as a floor when their area is less than thirty-three percent (33%) of the total area of the floor below them, provided that they are used for purposes related to the principal permitted activity on that floor.

20.04 - Size of Lots in IL-1 Districts. - All lots formed subsequently to the effective date of this Regulation shall have an area of not less than eight hundred (800) square meters and a

width not less than twenty (20) meters.

- 20.05 - Area of Occupation in IL-1 Districts. - The area of occupation shall not exceed sixty percent (60%) of the lot area.
- 20.06 - Gross Floor Space in IL-1 Districts. - The gross floor space shall not exceed one hundred and twenty percent (120%) of the lot area. In no case shall the gross floor space of any floor above the ground floor exceed the maximum percentage of the area of occupation permitted in the district.
- 20.07 - Front Yards in IL-1 Districts. - A front yard shall be required with a depth of not less than three (3) meters nor less than a fifth ($1/5$) the height of the building, whichever is greater.
- In lots that are situated in the same block and that front on the same side of a street as lots included in a residential district, the depth of the front yard shall be not less than that required for the residential district nor less than three (3) meters or a fifth ($1/5$) of the height of the building, whichever is greater.
- 20.08 - Side Yards in IL-1 Districts. - Two (2) side yards shall be required, each with a width of not less than four (4) meters nor less than a fifth ($1/5$) of the height of the building, whichever is greater. Any side yard or party of a side yard that borders on a street shall be considered as a front yard and shall comply with the size requirements for front yards in this district.
- 20.09 - Rear Yards in IL-1 Districts. - A rear yard shall be required with a depth of not less than four (4) meters, nor less than a fifth ($1/5$) the height of the building, whichever is greater.

Any rear yard or part of a rear yard that borders on a street shall be considered as a front yard and shall comply with the size requirements for front yards in this district.

- 20.10 - Accessory Buildings and Uses in IL-1 Districts.- Accessory buildings and uses shall comply with the provisions of Section 38.00 of Topic 10 of this Regulation.
- 20.11 - Parking Areas in IL-1 Districts. - For the uses permitted in IL-1 Districts, parking areas shall be provided in accordance with the provisions of Section 31.00 of Topic 8 of this Regulation.
- 20.12 - Loading and Unloading Space in IL-1 Districts. - Any building or part of a building occupied or used for purposes of industry, storage, exhibition of articles, commerce, or as a hospital, shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floorspace or part of that amount in excess of two hundred (200) square meters.
- 20.13 - Towers and Fences in IL-1 Districts. - Towers and fences shall conform with the provisions of Subsections 30.01 and 30.02 of Topic 7 of this Regulation.
- 20.14 - Signs or Announcements in IL-1 Districts. - Signs or announcements shall conform with the provisions of Sections 47.00, 50.00, 51.00 and 52.00 of Topic 15 of this Regulation.
- 20.15 - Extending Structures in IL-1 Districts. - Cornices, eaves, roofs, open extending balconies and other architectural features may extend into the conforming yards up to a

distance of not more than one (1) meter. The extension of open balconies shall not be permitted with a separation of less than five (5) feet from any side or rear lot line.

SECTION 21.00 - I-2 DISTRICTS

21.01 - Purposes of the I-2 District. - This district is established for the purpose of classifying areas for heavy industry. The determination of the amount of land to be used for heavy industry shall be based on the potentialities of the area for the development of heavy industry, on the wind direction, on the detrimental effects of the heavy industry on the air or water or in other respects such as causing odors, noises, vibrations or reflections of light; on the implications of the traffic generated by these industries on the transportation system; and on the best organization and use of land. The objective is that the land assigned for the use of heavy industry should be used for that purpose, excluding from this district residential and commercial uses and light industry.

21.02 - Uses in I-2 Districts. - In I-2 Districts, buildings and appurtenances shall be used for the elaboration, fabrication, treatment, processing or refining of:

- (1) - Fertilizers, on the basis of mixing.
- (2) - Acetone.
- (3) - Alcohol.
- (4) - Starch, glucose and dextrine.
- (5) - Asphalt for paving.
- (6) - Metallic boilers or tanks.
- (7) - Celluloid or cellulose, with the authorization of the Board.
- (8) - Cermics and pottery, when produced with machine tools.

- (9) - Chlorine.
- (10) - Calcium chloride
- (11) - Glue or gelatine, with the authorization of the Board.
- (12) - Sauerkraut, with the authorization of the Board.
- (13) - Disinfectants.
- (14) - Sausages, with the authorization of the Board.
- (15) - Matches, with the authorization of the Board.
- (16) - Acetylene gas.
- (17) - Greases or elaborations of petroleum products, with the authorization of the Board.
- (18) - Fireworks.
- (19) - Gas.
- (20) - Rubber or guttapercha.
- (21) - Oil cloth or linoleum.
- (22) - Insecticides or poisons.
- (23) - Soap paste.
- (24) - Sandpaper.
- (25) - Cleaning material.
- (26) - Lard, grease or tallow, with the authorization of the Board.
- (27) - Concrete products such as blocks.
- (28) - Carbon black.
- (29) - Paper, cardboard or pasteboard.
- (30) - Paints, oils, lacquers, turpentine or varnish.
- (31) - Snuff or tobacco dust.
- (32) - Soda.

(33) - Terracotta and derivatives.

(34) - Printing ink.

(35) - Dyes.

21.03 - Additional Uses in I-2 Districts. - In I-2 Districts, permission shall be given for the following uses, in addition to those permitted in Subsection 21.02 of this Topic:

((1) - The storage, tanning and curing of crude hides and skins.

(2) - Storage of fireworks.

(3) - General storage, except of explosive products.

(4) - Arsenals, with the authorization of the Board.

(5) - Animal corrals.

(6) - Crematoriums, with the authorization of the Board.

(7) - Curing of rubber or guttapercha.

(8) - Storage of gas.

(9) - Storage of acetylene gas.

(10) - Storage and packing of scrap iron, junk and any other old and discarded material, with the authorization of the Board.

(11) - Dismemberment and destruction of vehicles, with the authorization of the Board.

(12) - Cotton ginning.

(13) - Disposition of garbage and remains of dead animals, with the authorization of the Board.

(14) - Ready-mix concrete plants.

(15) - Woodworking establishments.

- (16) - Packers of agricultural products.
- (17) - Gasoline stations, in accordance with the provisions of Sections 27.00 and 29.00 of Topic 6 of this Regulation.
- (18) - Extraction of grease, with the authorization of the Board.
- (19) - Forging and shaping of metals. ✓
- (20) - Galvanization of metals.
- (21) - Printing plants, publishing houses and engraving plants.
- (22) - Yeast manufacturing.
- (23) - Saline industries.
- (24) - Lamination of woods.
- (25) - Washing and carding of wool.
- (26) - Industrial laundries.
- (27) - Sack cleaning.
- (28) - Slaughter houses, with the authorization of the Board.
- (29) - Bakeries and pastry plants, with the authorization of the Board.
- (30) - Plants for pasteurizing milk and derivative products, with the authorization of the Board.
- (31) - Repair shops.
- (32) - Industrial activities that do not require, by their nature, an exclusive location and in whose operation there is inherent a certain degree of nuisance, noises, vibrations, odors, smog, smoke, particle or gas emissions, with the authorization of the Board.

- 21.04 - Heights in I-2 Districts. - No buildings shall have more than six (6) floors nor exceed twenty-four (24) meters in height.
Mezzanine floors shall not count as a floor when their floor space is less than thirty-three percent (33%) of the total area of the floor below them, provided that they are used for purposes related to the principal permitted activity on that floor.
- 21.05 - Size of Lots in I-2 Districts. - All lots formed subsequently to the effective date of this Regulation shall have an area of not less than four thousand (4,000) square meters, and a width of not less than forty (40) meters.
- 21.06 - Area of Occupation in I-2 Districts. - The area of occupation shall not exceed fifty percent (50%) of the lot area.
- 21.07 - Gross Floor Space in I-2 Districts. - The gross floor space shall not exceed three hundred percent (300%) of the lot area. In no case shall the gross floor area of any floor above the ground floor exceed the maximum percentage of the area of occupation permitted in the district.
- 21.08 - Front Yards in I-2 Districts. - One (1) front yard shall be required with a depth of not less than three (3) meters. In lots situated on the same block and which front on the same side of a street as lots included in a residential district, the depth of the front yard shall be not less than three (3) meters nor less than the size required for the residential district, whichever is greater.
- 21.09 - Side Yards in I-2 Districts. - Two (2) side yards shall be required with a width not less than five (5) meters for each.

Any side yard or part of a side yard that borders on a street shall be considered as a front yard and shall comply with the size requirements for front yards in this district.

- 21.10 - Rear Yards in I-2 Districts. - One (1) rear yard shall be required with a depth not less than five (5) meters. Any rear yard or part of a rear yard that borders on a street shall be considered to be a front yard and shall comply with the size requirements for front yards in this district.
- 21.11 - Accessory Buildings and Uses in I-2 Districts. - Accessory buildings and uses shall conform with the provisions of Section 38.00 of Topic 10 of this Regulation.
- 21.12 - Parking Areas in I-2 Districts. - For the uses permitted in I-2 Districts, parking areas shall be provided in accordance with the provisions of Section 31.00 of Topic 8 of this Regulation.
- 21.13 - Loading and Unloading Space in I-2 Districts. - Any building or part of a building occupied or used for purposes of industry or storage shall be provided with a loading and unloading space of not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor space or part of that amount in excess of two hundred (200) square meters.
- 21.14 - Towers and Fences in I-2 Districts. - Towers and fences shall conform with the provisions of Subsections 30.01 and 30.02 of Topic 7 of this Regulation.
- 21.15 - Signs and Announcements in I-2 Districts. - Signs or announcements shall conform with the provisions of Sections 47.00, 50.00, 51.00 and 52.00 of Topic 15 of this Regulation.

21.16 - Extending Structures in I-2 Districts. - Cornices, eaves, roofs, open extending balconies and other architectural features may extend into conforming yards up to a distance of not more than one (1) meter. The extension of open balconies shall not be permitted without a separation of at least five (5) feet from any side or rear lot line.

SECTION 22.00 - IL-2 DISTRICTS

22.01 - Purposes of the IL-2 District. - This district is established for the purposes of classifying areas for heavy industries developed or to be developed for specific projects in accordance with the provisions of Subsection 46.02 of Topic 14 of this Regulation.

22.02 - Uses in IL-2 Districts. - In IL-2 Districts, buildings and appurtenances shall be used for the elaboration, fabrication, treatment, processing or refining of:

- (1) - Fertilizers.
- (2) - Acids.
- (3) - Ammonia.
- (4) - Asphalt.
- (5) - Sugar.
- (6) - Refining of minerals - tin, copper, zinc and iron ore.
- (7) - Tar and its products.
- (8) - Lime.
- (9) - Vegetable or mineral coal.
- (10) - Celluloids.
- (11) - Cement.
- (12) - Ceramics and pottery.
- (13) - Creosote.
- (14) - Explosives.
- (15) - Foundries and metal-working plants for iron, steel, bronze or copper.
- (16) - Flour and grain mills.
- (17) - Lamination of metals.

- (18) - Petroleum and its products.
- (19) - Piroxylene and its products.
- (20) - Potash (Hydroxide of potash).
- (21) - Explosive or inflammable products of cellulose.
- (22) - Rock crushing.
- (23) - Gypsum.

22.03 - Additional Uses in IL-2 Districts. - In IL-2 Districts, permission shall be given for the following uses in addition to those permitted by Subsection 22.02 of this Topic.

- (1) - Storage or wholesaling of petroleum and its products.
- (2) - Storage of explosives.
- (3) - Iron and steel mills.
- (4) - Application of potash (hydroxide of potash).
- (5) - Electric or thermo-electric generating plants.
- (6) - Curing and smoking of fish.
- (7) - Coke ovens.
- (8) - Central mixing of concrete, gypsum or materials for paving or mortar.
- (9) - Repair shops.

22.04 - Heights in IL-2 Districts. - In IL-2 Districts, the height of structures shall be established taking into consideration the nature of the specific industry to be operated in the premises.

22.05 - Size of Lots in IL-2 Districts. - The lot area shall be determined by the Board after justification of the needs by the proponent. In no case shall consideration be given to areas of less than eight thousand (8,000) square meters.

- 22.06 - Area of Occupation, Gross Floor Space and Sizes of Yards in IL-2 Districts. - The area of occupation, the gross floor space and the size of yards shall be determined by the Board with consideration of the nature of the specific industry to be operated.
- 22.07 - Accessory Buildings and Uses in IL-2 Districts. - Accessory buildings and uses shall be permitted for the adequate functioning to carry out the permitted uses, with the authorization of the Board.
- 22.08 - Parking Areas in IL-2 Districts. - For the uses permitted in IL-2 Districts, parking areas shall be provided according to the provisions of Section 31.00 of Topic 8 of this Regulation.
- 22.09 - Loading and Unloading Spaces in IL-2 Districts. - Any building or part of a building occupied or used for purposes of industry or storage shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each one thousand five hundred (1,500) square meters of gross floor space or part of that amount in excess of two hundred (200) square meters.
- 22.10 - Towers and Fences in IL-2 Districts. - Towers and fences shall conform with the provisions of Subsections 30.01 and 30.02 of Topic 7 of this Regulation.
- 22.11 - Signs or Announcements in IL-2 Districts. - Signs or announcements shall conform with the provisions of Sections 47.00, 50.00, 51.00 and 52.00 of Topic 15 of this Regulation.

22.12 - Extending Structures in IL-2 Districts. - Cornices, eaves, roofs, extending open balconies and other architectural features may extend into conforming yards to a distance of not more than one (1) meter. The extension of open balconies shall not be permitted without a separation of at least five (5) feet from any side or rear lot line.

SECTION 23.00 - M DISTRICTS

23.01 - Definition of the M District. - An M District is defined as an area in which the excessive crowding of buildings, the excessively small size of buildings, the lack of adequate service for the supply of potable water, drainage, or elimination of sewage, excessively low and swampy ground, excessive slopes, excessively high freatic level, excessively unsatisfactory types of earth, the lack of streets or paving, the construction of buildings without adequate standards or solidity, the lack of an orderly plan or design, or other conditions, have produced, intensified or aggravated the danger of fire, the propagation of diseases, anti-social conditions and an environment harmful to morals, tending to damage neighboring property and creating risks of bodily harm.

23.02 - Establishment of M Districts. - M Districts are established by the Board because of their character, their physical and structural conditions and the atmosphere that prevails in them which is of such nature that the use of the buildings and appurtenances is prejudicial to the health or general well-being - conditions that require, for their correction, ample measures of joint action on the part of the property-owners affected or the efforts of the community in general.

To establish an M District, it shall be necessary that some or all of the conditions mentioned above exist in the area under consideration, making the district inadequate for housing until these conditions are modified.

23.03 - Construction, Improvements and Changes of Use in M Districts. -

In M Districts, no building shall be erected, enlarged or reconstructed, nor shall any change be made in the use of existing structures, until such time as there has been an elimination of the conditions to which reference has been made, and such an environment has been changed, and until after the Board has designated the area as another type of district.

Notwithstanding the preceding, the Board may establish, by a resolution, requirements for permitting improvements, construction, enlargements, alterations, transfers of structures or changes in the use of appurtenances, provided that such improvements, construction, enlargements, alterations, transfers of structures, or changes in the use of appurtenances are in complete harmony with the renewal plans for the M District in which the appurtenance is situated, or in conformity with the requirements established in the resolution. In these cases, the carrying out of a public hearing shall be required prior to the adoption of such a resolution, which shall form part of this Regulation.

23.04 - Reclassification of M Districts. - Any Municipal or State

Agency or any property-owner in an M District may request, in accordance with the provisions of Subsection 4.02 of Topic 3 of this Regulation, the total or partial reclassification of such M District to one of another type, when the conditions in the district have changed sufficiently to justify its reclassification.

SECTION 24.00 - P DISTRICTS

24.01 - Uses in P Districts. - In P Districts, buildings and appurtenances shall be used for the following purposes:

- (1) - Public parks.
- (2) - Public space for parking automobiles.
- (3) - Public educational institutions.
- (4) - Public housing projects.
- (5) - Governmental offices.
- (6) - Public hospitals.
- (7) - Fire department stations.
- (8) - Police stations.
- (9) - Public airports.
- (10) - Public cemeteries.
- (11) - Other public uses.

In P Districts, any building occupied or used for purposes of a civic character, for teaching, religious purposes, philanthropic or charitable purposes, which is private property, may be constructed, enlarged or altered with the authorization of the Board.

24.02 - Height, Size of Lot, Population Density, Area of Occupation, Gross Floor Space, Size of Yards, Accessory Buildings and Uses, Parking, Marquees, Loading and Unloading Space, Towers, Fences, Gateways and Signs in P Districts. - In P Districts, the height of buildings or structures, the size of lots, the area of occupation, the gross floor space, the size of yards, the accessory buildings and uses, and the requirements for parking of vehicles, marquees, spaces for loading and un-

loading, towers, fences, gateways and signs shall be determined by the Board, taking into consideration the public use to be established.

TOPIC 5

ROW HOUSES AND APARTMENT HOUSES IN R-3 AND R-4 DISTRICTS

SECTION 25.00 - ROW HOUSES IN R-3 AND R-4 DISTRICTS

- 25.01 - General. - In R-3 and R-4 Districts, permission shall be given for the construction of buildings to be occupied or used as row houses that do not constitute extensive residential developments, when the provisions of this Section are complied with. In the cases that constitute extensive residential developments, the requirements established in Section 43.00 of Topic 13 of this Regulation shall be applied.
- 25.02 - Housing Units in a Row House in R-3 and R-4 Districts. - A row house shall not contain more than ten (10) housing units.
- 25.03 - Height of Row Houses in R-3 and R-4 Districts. - No building shall have more than two (2) floors nor exceed nine (9) meters in height. A greater height shall be permitted provided that the gross floor space and the width of any yard complies with the specifications established for these districts by this Regulation.
- 25.04 - Size of Lots for Row Houses in R-3 and R-4 Districts. - The lot for each housing unit shall have an area that shall depend upon the width of the unit, the area of occupation permitted and the size of the yards or the separation between buildings or areas in the same lot required in this Section.

For each interior housing unit, a minimum width of

lot of six (6) meters shall be required. For housing units that are at the ends of rows of row houses, a minimum width of lot of not less than nine (9) meters shall be required.

25.05 - Population Density for Row Houses in R-3 and R-4 Districts. -

For each housing unit, there shall be required an area of not less than one hundred and fifty (150) square meters in R-3 Districts, and not less than one hundred and twenty-five (125) square meters in R-4 Districts.

25.06 - Area of Occupation for Row Houses in R-3 and R-4 Districts.--

The area of occupation shall not exceed fifty percent (50%) of the lot area.

25.07 - Gross Floor Space for Row Houses in R-3 and R-4 Districts. -

The gross floor space shall not exceed one hundred percent (100%) of the lot area. In no case shall the gross floor space of any floor above the ground floor exceed the maximum percentage of the permitted area of occupation.

25.08 - Front Yards for Row Houses in R-3 and R-4 Districts. -

One (1) front yard shall be required with a depth of not less than three (3) meters when the building provides space for parking vehicles or when there is a common parking area, and not less than six (6) meters when such space or such common parking area is not provided.

25.09 - Side and Rear Yards for Row Houses in R-3 and R-4 Districts. -

Side and rear yards shall be required with width or depth of not less than three (3) meters each. Any side or rear

yards

yard or part of a side or rear yard that borders on a street or on a public promenade of six (6) meters or more in width, shall be considered to be a front yard.

- 25.10 - Separation between Row Houses or Areas on the Same Lot in R-3 and R-4 Districts. - The following minimum separation shall be required between row houses or areas on the same lot:

Between principal facades, a distance of not less than twelve (12) meters.

Between rear facades, a distance of not less than six (6) meters.

Between side facades, a distance of not less than six (6) meters.

Between a principal facade and a side or rear facade, a distance of not less than twelve (12) meters.

Between a side facade and a rear facade, a distance of not less than twelve (12) meters.

Between buildings and parking areas, parks, walkways, pedestrian paths and other similar areas, a distance of not less than three (3) meters.

- 25.11 - Accessory Buildings and Uses in Row Housing Projects in R-3 and R-4 Districts. - Accessory Buildings or service areas for drying clothes shall be located in the rear of buildings and shall comply with the other provisions established in Section 36.00 of Topic 10 of this Regulation.

- 25.12 - Parking Areas for Row Houses in R-3 and R-4 Districts. -

At least one (1) space for one (1) vehicle for each housing

unit shall be provided. The common parking areas shall comply with the specifications for design of parking areas in Subsection 31.02 of Topic 8 of this Regulation.

- 25.13 - Marquees for Row Houses in R-3 and R-4 Districts. - Marquees shall conform with the provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.
- 25.14 - Towers, Fences and Gateways for Row Houses in R-3 and R-4 Districts. - Towers, fences and gateways shall conform with the provisions of Section 30.00 of Topic 7 of this Regulation.
- 25.15 - Signs on Row Houses in R-3 and R-4 Districts. - Signs shall conform with the provisions of Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.
- 25.16 - Extending Structures in Row Housing Projects in R-3 and R-4 Districts. - Cornices, eaves, roofs and other architectural features may extend into the yards or the separations between buildings or areas on the same lot, up to a distance of not more than one (1) meter. Permission shall likewise be given for the extension of open balconies up to a distance of not more than one (1) meter, within required front and rear yards, provided that there is a separation of not less than five (5) feet between the balconies and any side or rear lot line.
- 25.17 - Other Aspects related to Row Housing Projects in R-3 and R-4 Districts.- Urbanization works that pertain to the proposed project shall be carried out.

SECTION 26.00 - APARTMENT HOUSES IN R-3 AND R-4 DISTRICTS

26.01 - General. - In R-3 and R-4 Districts, permission shall be given for the construction of buildings to be occupied or used as apartment houses but which do not constitute extensive housing developments, when there is compliance with the provisions of this Section. In the cases that constitute extensive residential developments, the requirements established in Section 44.00 of Topic 13 of this Regulations shall apply.

26.02 - Height of Apartment Houses in R-3 and R-4 Districts. -

The height of buildings shall be determined on the basis of the gross floor space permitted and the size of the yards or separations between buildings or areas on the same lot established in this Section.

26.03 - Population Density in Apartment House Projects in R-3 and R-4 Districts. - The number of families permitted shall be determined on the basis of the total lot area and in accordance with the following:

On lots that have an area of less than two thousand (2,000) square feet, one family shall be permitted for each one hundred and fifty (150) square meters of lot area in R-3 Districts, and for each one hundred and twenty-five (125) square meters of lot area in R-4 Districts.

On lots with an area of two thousand (2,000) square meters or more, one family shall be permitted for each one hundred (100) square meters of lot area in R-3 and in R-4 Districts.

On lots with an area of three thousand eight hundred (3,800) square meters or more, one family shall be permitted for each ninety-five (95) square meters of lot area, in R-3 and R-4 Districts.

On lots with an area of five thousand four hundred (5,400) square meters or more, one family shall be permitted for each ninety (90) square meters of lot area, in R-3 and R-4 Districts.

If a lot considered for an apartment house project is subsequently subdivided into two (2) or more lots, the number of families to be permitted on each lot shall be equal to the proportion between the net residential area of the new lot and the total net residential area of the lot under original consideration, multiplied by the total number of families permitted on the latter.

In apartment house projects in these districts, permission shall be given to convert the number of basic housing units permitted into a larger number of smaller units, on the basis of the number of bedrooms per type of apartment, and in accordance with the following relationship:

| <u>Number of Bedrooms per Apartment</u> | <u>Equivalent in Terms of Basic Housing Unit</u> |
|---|--|
| 0 ("studio or efficiency") | 0.4 |
| 1 | 0.6 |
| 2 | 0.8 |
| 3 | 1.0 |

When more than three (3) bedrooms per apartment are provided, each additional bedroom shall be computed at the rate of 0.2 housing unit extra. In no case shall the number of basic housing units exceed the number of families permitted on the lot.

26.04 - Area of Occupation in Apartment House Projects in R-3 and R-4 Districts. - The area of occupation shall not exceed the maximum percentage of total lot area which, on the basis of the permitted population density, is indicated in the following:

| Square Meters of Lot per Family, as Permitted | Area of Occupation, Maximum Percentage Permitted on the basis of Total Lot Area in R-3 and R-4 Districts. |
|---|---|
| 125 or more | 50 |
| 100 to 124 | 40 |
| 99 or less | 30 |

26.05 - Gross Floor Space in Apartment House Projects in R-3 and R-4 Districts. - The gross floor space shall not exceed the percentage which, on the basis of the permitted population density, is indicated in the following table. In no case shall the gross floor space of any floor above the ground floor exceed the maximum percentage of the area of occupation permitted.

| Square Meters of Lot per Family, as Permitted | Gross Floor Space, Maximum Percentage Permitted, of the Total Lot Area, in R-3 and R-4 Districts |
|---|--|
| 150 | 100 |
| 125 | 120 |
| 100 | 140 |
| 95 | 150 |
| 90 | 160 |

If a lot under consideration for an apartment house project is subsequently subdivided into two (2) or more lots, the gross floor space permitted on each lot shall be equal to the proportion between the net residential area of the new lot and the total net residential area of the lot originally under consideration, multiplied by the gross floor space permitted on the latter.

26.06 - Yards for Apartment Houses in R-3 and R-4 Districts. - Front, side and rear yards shall have a depth or width of not less than three (3) meters nor less than one-fifth ($1/5$) of the height of the building, whichever is greater. Any side or rear yard or part of such yard that borders on a street shall be considered as a front yard.

26.07 - Separation between Apartment Houses on the Same Lot in R-3 and R-4 Districts. - A separation of not less than fifteen (15) meters between apartment houses on the same lot, shall be less than one-fifth ($1/5$) the sum of the heights of the buildings under consideration, whichever is the greater, shall be required.

26.08 - Separation between Apartment Houses and Areas on the Same Lot in R-3 and R-4 Districts. - There must be a separation of not less than three (3) meters between apartment houses and areas for parking or services, or parks, pathways, pedestrian walks, and other similar areas which are located outside of buildings.

26.09 - Accessory Buildings and Uses in Apartment House Projects in R-3 and R-4 Districts. -

Accessory buildings, or service areas for drying clothing and collecting garbage, shall be located at the side or the rear of the buildings and shall comply with the other provisions established in Section 36.00 of Topic 10 of this Regulation.

- 26.10 - Parking Areas for Apartment House Projects in R-3 and R-4 Districts. - There shall be provided at least one (1) parking space for one (1) vehicle for each housing unit. In addition, the specifications for the design of parking areas in Subsection 31.02 of Topic 8 of this Regulation must be complied with.
- 26.11 - Marquees in Apartment House Projects in R-3 and R-4 Districts. - Marquees shall conform with the provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.
- 26.12 - Loading and Unloading Space in Apartment House Projects in R-3 and R-4 Districts. - Any building occupied or used for an apartment house shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each forty (40) housing units, and these spaces shall be located at the side or in the rear of the buildings.
- 26.13 - Towers, Fences and Gateways in Apartment House Projects in R-3 and R-4 Districts. - Towers, fences and gateways shall conform with the provisions of Section 30.00 of Topic 7 of this Regulation.
- 26.14 - Signs in Apartment House Projects in R-3 and R-4 Districts. - Signs shall conform with the provisions of Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.

26.15 - Extending Structures in Apartment House Projects in R-3 and R-4 Districts. - Cornices, eaves, roofs and other architectural features may extend into yards or the separation between buildings or the areas of the same lot as specified in this Section, up to a distance not greater than one (1) meter. Permission shall likewise be given for the extension of open balconies up to a distance no greater than one (1) meter, into front and rear yards, provided that these balconies are separated by a minimum distance of five (5) feet from any side or rear lot line.

TOPIC 6 (*)

GASOLINE STATIONS

SECTION 27.00 - GENERAL PROVISIONS

27.01 - Initiative. - Any application for a new gasoline station, except in C-6 Districts, must be accompanied by evidence demonstrating that notification has been sent, of the intention to establish the said gasoline station, to all owners and lessees of gasoline stations situated within the lineal or radial distances that are required for notification in such case.

All parties directly notified of the intention to establish a gasoline station shall have a period of not more than ten (10) days in which to submit their allegations, if they have any, with reference to the proposed establishment.

27.02 - Study of Viability . - Every application for a new gasoline station, except in C-6 Districts, ~~must~~ be accompanied by a study of viability, which shall take into consideration, with respect to the sector within the lineal and radial distances that are required in such a case, the following factors:

- (1) - The population density of the sector.
- (2) - Any other relevant factors that merit consideration in relation to the proposed gasoline station.

(*) As amended on June 21, 1971
Effective date of Amendments, June 16, 1971.

- 27.03 - Public Hearings. - When the Board considers it necessary, for the consideration of applications for the establishment of new gasoline stations, public hearings shall be held, with notification to all the parties.
- 27.04 - Separation between Gasoline Stations. - The minimum separation required between a new gasoline station and an existing or previously-authorized station, in consultation concerning the location of the station and the use of land - in the preliminary project, the preliminary plans or the final plans - shall be determined in accordance with the following:
- (1) - In cases of commercial or industrial districts that do not border on any of their sides with land classified as R-0 for the protection of an arterial highway, the minimum separation between gasoline stations shall be eight hundred (800) lineal meters when the stations are situated on either side of the same street, and four hundred (400) radial meters when the stations are situated on different streets.

For purposes of application of the preceding provision, an arterial highway shall be understood to be any street or road that has been assigned a route number by the Department of Public Works of the State or by the Highway Authority, and those roads so designated by the Board by means of a resolution.

- (2) - In the case of commercial and industrial districts that border on any of their sides on lands classified in an R-0 District, for the protection of an arterial highway,

(as defined in Clause 1 of this Subsection), the minimum separation between gasoline stations shall be one thousand six hundred (1,600) lineal meters when the said gasoline stations are situated on the same road or street, and four hundred (400) radial meters when the stations are situated on different streets.

(3) - In cases of one-way streets with three or more lanes, the provisions concerning radial distances specified in Clauses (1) and (2) of this Subsection shall apply separately to each side of the road or street; and the provisions concerning lineal distances shall be applied only with respect to gasoline stations that are situated on the same side of a street.

(4) - In the cases of gasoline stations on streets of a width greater than eighteen (18) meters, provided with turn lanes or separating strips between vehicles moving in opposite directions, or a central security island, the provisions concerning radial and lineal distances set forth in Clause (1) and (2) of this Subsection shall apply independently for each side of the street.

In these cases, when there is a gap in the line for control of turns or the central strip or security island, permission may be given for the location of a single gasoline station on one of the lots that form corners or that are directly opposite each other, in the place where such a gap occurs, provided that this observes the radial and lineal separation required for other gasoline

stations on the same side of the street.

For the purposes of applying the preceding provision, it shall be understood that the gap in the control line or the security strip or island on this type of street, will occur, occasioned by the following circumstances:

- (a) - The street is intersected on both sides by another street, forming four corners.
- (b) - The street is intersected on one of its sides by another street, forming two corners.
- (c) - The line to control turns, or the strip or center security island is interrupted, without the intersection of the street on either of its sides by another street.
- (5) - Those existing gasoline stations whose gasoline pumps are situated on the public sidewalks shall not be taken into consideration in the application of the provisions established in this Subsection. Nor shall there be taken into consideration those gasoline stations that do not have within their lot space sufficient for servicing two (2) automobiles for each pump used to deliver gasoline, and which need to use the public street for this purpose.

27.05 - Separation between Gasoline Stations and Areas used for Certain Other Purposes. - Any lot on which it is projected to construct a gasoline station must be separated by a minimum distance of fifty (50) radial meters from any other lot on which there exists or is projected the construction of a school, college, university, academy, library, tribunal, court, hospital, church

church, asylum, orphanage, museum, park, public plaza or square, city hall, armory, insane asylum, reformatory, jail, penal institution, prison, health center or public health unit.

For the purposes of application of the preceding provision, there shall be considered to be "projected" any school, college, hospital, church, asylum, orphanage, museum, park, public square, city hall, armory, insane asylum, reformatory, jail, penal institution, prison, health center or public health unit for which the Board has approved an advisory opinion on location, when they concern projects that have been submitted to some governmental agency, or for which the construction plans have been approved, when they are projected submitted by private citizens.

27.06 - Measurements of Separation between Gasoline Stations and

Between such Stations and Areas for Other Uses. - The minimum required separation shall be measured between the closest points of the two lots.

27.07 - Uses Bordering on Gasoline Stations. - Parcels of land that

border on their sides with lots or parcels included within residential districts shall not be used for gasoline stations. In the cases of corner lots that border on one of their sides with residential districts, this restriction may be overcome by the construction of a wall of reinforced concrete or of reinforced concrete and concrete blocks to a height of two (2) meters the entire length of the borderline, except that the section of the wall to be constructed along the part of the borderline that is beside the front yard required for the adjacent residential district shall have

a maximum height of one (1) meter.

In cases in which the proposed lot borders on its rear lot line with a residential district, there shall be constructed a wall of reinforced concrete or of reinforced concrete and concrete blocks two (2) meters in height, the entire length of the conterminous lot line.

27.08 - Area to be Utilized for Gasoline Stations in a Zoned District. -

The sum of the areas of lots occupied or used for gasoline stations shall not exceed twenty-five percent (25%) of the total area of all the lots included within the district under consideration.

In districts divided by public streets with a width of more than eighteen (18) meters, the twenty-five percent (25%) specified in the preceding shall be calculated separately for each part of the district thus divided.

27.09 - Situation of Gasoline Pumps. - The minimum distance between the right-of-way of a street and the island that contains gasoline pumps shall be four meters and twenty-five centimeters (4.25) measured lineally, when the pump island is located parallel to the street. When the island is at an angle with the right-of-way of the street, the minimum distance between the island and the right-of-way shall be six (6) meters.

27.10 - Security against Fires in Gasoline Stations. - Gasoline Stations shall meet all the security conditions required by the Fire Department of Puerto Rico.

27.11 - Accesses to Gasoline Stations. - Accesses from gasoline stations

to streets shall require the approval of the Department of Public Works or of the Municipality concerned, as the case may be.

27.12 - Protection against the Weather in Gasoline Stations. -

Permission shall be given for the erection of structures of fireproof materials over the islands that contain gasoline pumps for the sole purpose of protecting them, the person in charge of providing service, or the motorist, from the effects of the weather, provided that such a structure is designed to extend out and that it complies with the following specifications:

- (1) - When the lot is situated on the same block and fronts on the same side of the street as lots included in an Adjacent Residential District, the projection of this structure on the front of the lot shall not exceed one (1) meter, within the width of the front yard required for a residential district.
- (2) - When there are no lots classified as residential situated in the same block, fronting on the same side of the street as the lot under consideration, the said structure may extend out to, but not project beyond, the limits of the property.

27.13 - Extending Structures in Gasoline Stations. - Cornices, eaves, roofs and other architectural features may extend out, within complying yards, up to a distance of not more than one (1) meter.

27.14 - Changes in Use in Gasoline Stations. - Changes in use in the

premises or a part of the appurtenances occupied or used as a gasoline station shall conform with the provisions concerning the uses of gasoline stations established by this Regulation for the specific district in which the station is situated.

27.15 - Prerogatives of the Board. - The Board may modify the provisions established in this Topic when any of the following conditions occur:

- (1) - ~~When~~ When a study of the viability that reflects an increment in the population density and in the vehicular traffic of a particular sector justifies the establishment of a gasoline station to serve that sector, at a distance from other gasoline stations less than the radial and linear distances that the case would require for compliance with the provisions of this Section. In these cases, the study that is carried out should take into consideration the impact that this may have on other existing or previously-authorized gasoline stations, in the consultation concerning location and land use, in the preliminary construction project, the preliminary plans or the final plans submitted for the consideration of the Board.
- (2) - When a study of the viability reflects that, due to the intensity of the uses, the high population density, the intense vehicular traffic, and the high value of the land, the exclusive location of gasoline pumps is justified only if operated jointly with another principal

use, or on a lot the size of which is less than the minimum required for gasoline stations, or on a lot situated at a lesser lineal and radial distance of separation from other gasoline stations than would be required by compliance with the provisions of this Section. In these cases, the study that is carried out must taken into consideration the impact that this may have on other existing or previously-authorized gasoline stations, in the consultation concerning the location and the use of the land, in the preliminary construction project, the preliminary plans, or the final plans submitted for the consideration of the Board.

- (3) - - When the completion of an extensive residential development project authorized by the Board, with the increased population density and vehicular traffic that this generates, justifies the location of a gasoline station in the public interest to serve the sector at a lesser radial and linear distance than the case would require in compliance with the provisions of this Section. For these cases, no study of viability shall be required.

SECTION 28.00 - GASOLINE STATIONS

IN C-1, C-2, C-3, C-4 and C-6 DISTRICTS

28.01 - General. - *In C-1, C-2, C-3, C-4 and C-6 Districts, permission shall be given, with the authorization of the Board, for the establishment of gasoline stations when they comply with the General Provisions concerning Gasoline Stations stipulated in Section 27.00 of this Topic, and when they comply with the requirements established in this Section.

28.02 - Uses in Gasoline Stations in C-1, C-2, C-3, C-4 and C-6 Districts. - As part of the operation of a gasoline station, the following uses shall be permitted exclusively in the principal building:

- (1) - Sale of fuel and lubricants.
- (2) - Sale and installation of tires, batteries and those accessories and motor vehicle parts that are easily and rapidly installable.
- (3) - Washing and greasing, except in C-4 Districts.
- (4) - Minor repairs, such as brakes, spark plugs, points, condensers, lights, horns and tires.
- (5) - Services, for motorists and passengers, of lunches, refreshments, cigarettes, candy, milk or ice, these activities to be limited to a space in the principal building of not more than fifteen (15) square meters.

28.03 - Height of Gasoline Stations in C-1, C-2, C-3, C-4 and C-6 Districts. - No building shall have more than one (1) floor

(*) As amended April 21, 1971;
Effective Date of Amendments, July 16, 1971.

nor exceed five (5) meters in height.

28.04 - Size of Lot for Gasoline Stations in C-1, C-2, C-3, C-4 and C-6 Districts. - The lot area shall not be less than one thousand two hundred (1,200) square meters and its width not less than twenty (20) meters.

28.05 - Area of Occupation for Gasoline Stations in C-1, C-2, C-3, C-4 and C-6 Districts. - The area of occupation shall not exceed thirty-three percent (33%) of the lot area.

28.06 - Yards for Gasoline Stations in C-1, C-2, C-3, C-4 and C-6 Districts. - The depth or width of any front, side or rear yard shall be not less than six (6) meters.

28.07 - Accessory Buildings and Uses in Gasoline Stations in C-1, C-2, C-3, C-4 and C-6 Districts. Accessory buildings and uses to be permitted as a part of the operation of a gasoline station shall comply with the following:

- (1) - Accessory Uses. - One (1) accessory building shall be permitted, which may be used for the installation and storage of parts, accessories and other articles the sale of which is permitted by this Regulation in gasoline stations, for minor repairs such as brakes, spark plugs, points, condensers, lights, horns and tires, which are permitted in the principal building, the polishing of vehicles, and the location of ice-making machines for retail sale.
- (2) - Height. - No accessory building shall have more than one (1) floor nor exceed five (5) meters in height.
- (3) - Area of Occupation. - No accessory building shall occupy an area greater than ten (10) percent of the area of the lot.

- (4) - Location. - The accessory building shall be situated in that part of the lot in which location of the principal building is permitted.

28.08 - Alterations, Reconstructions, Enlargements or Additions of Facilities to Appurtenances in C-1, C-2, C-3, C-4 and C-6 Districts, Occupied or Used for Gasoline Stations, when there is a Legal Non-Conformity in the Appurtenance. - Alterations, reconstructions, enlargements or additions of facilities to structures or buildings used or occupied by gasoline stations, when there exists a legal non-conformity in the appurtenance, provided that the following are complied with:

- (1) - When the legal non-conformity and the continuity of the operation of the existing non-conforming uses is demonstrated.
- (2) - When the washing, greasing and other existing facilities are located not less than four meters twenty-five centimeters (4.25) from any lot line.
- (3) - When the washing, greasing and other proposed or existing facilities that do not comply with the preceding provisions are located no less than six (6) meters from any lot line.
- (4) - When the existing or proposed gasoline pumps are not less than four meters twenty-five centimeters (4.25) from any lot line.
- (5) - When the projected enlargements are in harmony with the other provisions established in this Regulation to permit the operation of gasoline stations in these districts.

- (6) - When the measures of security against fires are accepted
by the Fire Department of Puerto Rico.

SECTION 29.00 - GASOLINE STATIONS

IN I-1, IL-1 and I-2 DISTRICTS

29.01 - General. - *In I-1, IL-1 and I-2 Districts, permission shall be given, with the authorization of the Board, for the establishment of gasoline stations when these comply with the General Provisions concerning Gasoline Stations stipulated in Section 27.00 of this Topic and with the requirements established in this Section.

29.02 - Uses in Gasoline Stations in I-1, IL-1 and I-2 Districts. -

In I-1, IL-1 and I-2 Districts, the following uses shall be permitted in premises occupied or used by gasoline stations, in addition to the uses permitted by this Regulation for each district in particular:

- (1) - Sale of fuel and lubricants.
- (2) - Sale and installation of tires, batteries and those accessories and parts of motor vehicles that are easily and rapidly installable.
- (3) - Washing and greasing.
- (4) - Minor repairs, such as brakes, spark plugs, points, condensers, lights, horns, flushing radiators, tires or attention to any other mechanical emergency of a motor vehicle.
- (5) - Services, to the motorists and passengers, of lunches, refreshments, cigarettes, candy, milk or ice, such activities to be limited to a space in the principal building not larger than fifteen (15) square meters.

(*) As amended April 21, 1971; effective date of amendment, July 16, 1971.

29.03 - Height of Gasoline Stations in I-1, IL-1 and I-2 Districts. -

The height shall be determined on the basis of the gross floor space permitted and the size of the yards required for the specific district in which the station is located.

29.04 - Size of Lot for Gasoline Stations in I-1, IL-1 and I-2 Districts. -

The size of the lot shall be not less than one thousand two hundred (1,200) square meters and its width not less than twenty-five (25) meters.

29.05 - Area of Occupation, Gross Floor Space and Size of Yards for

Gasoline Stations in I-1, IL-1 and I-2 Districts. - The requirements for the area of occupation, the gross floor space and the size of yards shall be those that are established in this Regulation for the specific district in which the station is located.

29.06 - Accessory Buildings and Uses in Gasoline Stations in I-1, IL-1 and I-2 Districts. - Accessory buildings and uses shall conform with the provisions of Section 38.00 of Topic 10 of this Regulation.

29.07 - Alterations, Reconstructions, Enlargements or Additions of Facilities in Appurtenances in I-1, IL-1 and I-2 Districts, Occupied or Used for Gasoline Stations when a Legal Non-Conformity Exists in the Appurtenance. - Alterations, reconstructions, enlargements or additions of facilities to structures or buildings occupied or used for gasoline stations may be carried out when a legal non-conformity exists in the appurtenance, provided that the following are complied with:

- (1) - When the legal non-conformity and the continuity of operation of the existing non-conforming uses is demonstrated.
- (2) - When the washing, greasing and other facilities are located in conformity with the requirements for yards for the district in which the station is situated.
- (3) - When the existing or proposed gasoline pumps are separated by not less than four meters twenty-five centimeters (4.25) from any front lot line.
- (4) - When the projected enlargements are in harmony with the other provisions of this Regulation.
- (5) - When the measures for security against fires are accepted by the Fire Department of Puerto Rico.

TOPIC 7

ADDITIONAL PROVISIONS CONCERNING HEIGHT

SECTION 30.00 - TOWERS, FENCES AND GATEWAYS

30.01 - Towers. - The highest extremities of church spires, belfries, television receiving antenna for domestic use and towers designed for purely ornamental purposes, chimneys, elevated tanks, stair wells and elevator wells, shall not be considered for purposes of the application of the provisions concerning height in this Regulation, provided that the sum total of their respective areas, taken in horizontal section, at average height, does not occupy more than twenty percent (20%) of the total roof area.

30.02 - Fences. -

(1) - Residential Districts. - Fences constructed in rear quired frontyards shall have a height of no more than one (1) meter.

Notwithstanding the preceding provision, fences constructed in required front yards that border on a vehicular access of a public character may have an additional section of one (1) meter in height that consists of grillwork or lattice of ornamental blocks the solid part of which does not exceed more than twenty-five percent (25%) of such additional permitted height. Fences to be constructed in side or rear yards may have an height of not more than two (2) meters. ✓

(2) - Commercial and Industrial Districts. - On lots in

Commercial and Industrial Districts that border on lots in Residential Districts, the fences to be constructed on the lot lines that are in common with the lot lines of the residential lots, and those fences that are constructed in the required front yards for the district, must meet the requirements in this Subsection for fences in Residential Districts.

30.03 - Gateways - Gateways of an ornamental character and as an architectural detail shall be permitted up to a height of three (3) meters, and there shall be not more than one (1) gateway in each yard or between the building and the side lot line.

The gateway between the building and the side lot line, when its height is greater than one (1) meter over the lot level, must be provided with an entrance or opening not less than one (1) meter in width nor less than two (2) meters in height, in which permission shall be given for the installation of a gate of iron grillwork or of metallic lattice whose solid part does not exceed twenty-five percent (25%) of its total area.

TOPIC 8

PARKING AREAS

SECTION 31.00 - GENERAL PROVISIONS, DESIGN AND
PROVISION OF SPACE FOR THE PARKING OF VEHICLES

31.01 - General Provisions. -

- (1) - Required parking areas shall be provided within the premises, whether in the principal building, in an accessory building or in a remaining area of the lot on which the principal is situated or is going to be situated. A required yard may be used for this purpose, provided that this does not affect or obstruct the transit or movement of vehicles in the accesses or in the turning areas of such parking areas.
- (2) - In Residential Districts in M or P Districts, permission shall be given for the establishment of parking areas for vehicles of a capacity classified as not more than one and one-half (1 1/2) tons, as a business on open lots or land parcels, contiguous to a C-1 District, and on open lots or land parcels when any part of the lot or parcel is not more than one hundred (100) meters from a C-2, C-3, I-1, IL-, I-2 or IL-2 District, provided that the provisions concerning the design of parking areas in Subsection 31.02 of this Topic are complied with.
- (3) - In cases in which a permit for private use has been issued and a parking area has been provided for this, it is necessary to obtain a new use permit for any

proposed new use, even though it is a use that is permitted in the district. The new use permit shall not be issued until the additional parking area has been provided, if this is required for the new use.

- (4) - In cases of enlargements of buildings, the new required parking area shall be calculated taking into consideration the existing uses and the proposed uses for the enlargement of the building.
- (5) - In the cases of permitted uses, combined with any principal use, such as space for storage, offices, cafeterias, exhibition installations, sales operations and others, a separate calculation shall be made of the parking space required for such purposes and it shall be added to the space required for the principal use.
- (6) - In case there has been provided, in conformity with the provisions of the Subdivision Regulation (Planning Regulation No. 3), a general parking area for the district where the lot is situated, there shall be credited to each appurtenance only the number of parking spaces that corresponds to a proportion between the area of the lot where the construction is situated and the total net area of the lots serviced by such parking area, providing to the proponent within the appurtenance any deficiency that may result.
- (7) - In cases in which, with the lot utilized in accordance with the provisions of occupation for zoning district

in which the appurtenance is situated, it is not possible to provide the parking area on the lands of the lot and it is decided to provide the required parking space in a basement or on one or more floors of the building, or parts of such floors, the space occupied or used on these floors for required parking space shall not count for the purposes of the limitations on gross floor space permitted in the specific district.

Basements or ground floors that are used to provide required parking space under the preceding provisions, shall not count for the purposes of permitted height of buildings in the district in which the appurtenance is situated.

- (8) - There are exempted from the application of the provisions of this Section those cases considered under the provisions of Planning Regulation No. 5 (Regulation for Ancient and Historic Zones).

§1.02 - Design. -

- (1) - Vehicle parking areas shall be designed in a functional form, that is, that any vehicle may be able to move without being obstructed by other parked vehicles nor being obliged to back into traffic. These areas shall be paved, marked, provided with accesses, and shall have adequate room for circulation of pedestrians and vehicles and shall have a planted area. The use of public streets and accesses to parking areas

as turning areas shall not be permitted.

(2) - Space for the parking of one (1) vehicle shall be considered to be an area of two and one-half (2.5) meters by five and one-half (5.5) meters in Residential or Commercial Districts; or an area of two and three-quarters (2.75) meters by seven (7) meters in Industrial Districts, excluding in both cases the necessary space for accesses or turning areas pertaining to such parking areas.

(3) - Access ramps for parking areas shall have a maximum slope of twelve percent (12%).

31.03 - Provision of Space for Parking of Vehicles. - The minimum spaces to be provided for the parking of vehicles shall be determined as indicated in the following:

(1) - For commercial for retail sales or services, one (1) space for one (1) vehicle for each twenty-five (25) square meters or part of that amount of net floor space dedicated to such purposes.

(2) - For offices, one (1) space for one (1) vehicle for each forty (40) square meters or part of that amount of net floor space.

(3) - For industrial or storage operations, one (1) space for one (1) vehicle for each one hundred (100) square meters or part of that amount of net floor space dedicated to such purposes.

(4) - Churches, high schools, commercial and vocational schools, colleges or universities, at least one

- (1) space for one (1) vehicle for each twenty-five (25) seats or part of that number provided in such buildings or structures.
- (5) - For auditoriums, convention halls, theaters, motion picture houses, studios, stadiums, hippodromes, dog tracks, velodromes, skating rinks, cockpits, commercial parks or any other similar place of public meeting, at least one (1) space for one (1) vehicle for each ten (10) seats or their equivalent, or part of that amount that is provided for such purposes.
- (6) - Drive-in motion picture theaters, one (1) space for one (1) vehicle, for waiting, for each twenty (20) spaces for vehicles provided for spectators, and, in addition, a private access with a capacity for one (1) vehicle at a time at the ticket booth for each twenty (20) spaces of capacity of the drive-in theater.
- (7) For hospitals, sanatoriums or public welfare institutions, at least one (1) space for one (1) vehicle for each two (2) beds in private or semi-private rooms, and one (1) space for each six (6) beds in rooms with more than two (2) beds.
- (8) - For hotels, and ~~and tourist~~ hotels, at least one (1) space for one (1) vehicle for each five (5) rooms or 'suites' of part of such. For other commercial uses such as restaurants, retail

stores and other uses accessory to the hotels, additional parking space shall be required in conformity with this Regulation.

- (9) - For public and private clubs and dance halls, at least one (1) space for one (1) vehicle for each five (5) square meters or part of that amount of net floor space dedicated to meeting space for persons.
- (10) - For restaurants, cafeterias, bars, soda fountains, not less than one (1) space for one (1) vehicle for each eight (8) square meters of part of that amount of net floor space dedicated to public services. In case services are provided to vehicles (i.e. "drive-ins") in combination with table or bar service, the parking area to serve vehicles shall be separate and shall be in addition to the space dedicated to regular parking area.
- (11) - For market places, one (1) space for one (1) vehicle for each twenty-five (25) square meters or part of that amount of net floor space dedicated to those purposes.
- (12) - For housing in Commercial Districts, one (1) space for one (1) vehicle for each housing unit of the first three (3) housing units, plus one (1) space for each three (3) housing units in excess of three (3).

- (13) - For Guest Houses, one (1) space for one (1) vehicle for the house of the owner or administrator, plus one (1) space in addition for each five (5) ~~sample~~ bedrooms or part of that number for guests.
- (14) - Railway stations, airports, launch terminals, bus stations, shall require parking areas as determined by the Board.
- (15) - Trading centers shall have at least one (1) space for one (1) vehicle for each fifteen (15) square meters of net floor space or part of that amount dedicated to retail sales and the provision of services.

The requirements for parking space to be provided for any use not indicated in the preceding shall be determined by the Board.

Exemption shall be made from the requirement of parking space for non-residential uses, in C-1, C-2, C-3 and I-1 Districts, when it is calculated that the number of required spaces would be less than five (5) in C-1 Districts and less than ten (10) in C-2, C-3 and I-1 Districts.

TOPIC 9

MARQUEES IN RESIDENTIAL DISTRICTS

SECTION 32.00 - GENERAL PROVISIONS CONCERNING
MARQUEES IN RESIDENTIAL DISTRICTS

- 332.01 - Minimum Width of Space for the Parking of Vehicles. - The minimum width of space for the parking of a vehicle under a marquee shall be not less than eight feet three inches (8'-3").
- 32.02 - Minimum Length of Space for the Parking of a Vehicle. - The minimum length of space for the parking of a vehicle shall be not less than twenty (20) feet, excluding the eaves when these project into a required front or rear yard.
- 32.03 - Closing of the Front Side of a Marquee. Permission shall be given for the installation of only grilled doors or metal latticework on the front side of a marquee.
- 32.04 - Closing of the Side of a Marquee. - The side of a marquee, on the side opposite the principal building, may be closed. The installation of windows in this part shall not be permitted if there is a separation of less than five (5) feet from the side lot line of the
- 32.05 - Closing of the Rear side of a Marquee. - The rear side of a marquee may be closed with doors of grillwork or metal lattice-work, with a curtain of ornamental bricks, or with a large window, or with a planter, or with a concrete wall. When a curtain or ornamental bricks is used, or a planter, or a concrete wall, an opening shall be provided with dis-
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mensions of not less than forty (40) inches of width by eighty (80) inches of height, which will permit free access to rear part of the lot, and this opening may be provided with a grillwork or wire gate or a door. The planters, and the concrete walls that are permitted, shall not exceed five (5) feet in height, with an upper part extending up as high as the under side of the beams of the marquee or up to the tile of the ceiling, consisting of an open space or a metal grillwork or a lattice-work of ornamental bricks, or a large window. In no case shall the installation of a window in this part of the marquee be permitted with a separation of less than twenty (20) inches from the side lot line.

32.06 - Use of the Roof of the Marquee as an Open Terrace.1- In the case of a second floor occupied or used for residential purposes, the partial use of the roof of the marquee shall be permitted for the residents of the housing, as an open terrace, provided that a concrete block wall forty-four (44) inches high is constructed the length of the tile of the roof of the marquee, and provided that there is a separation of not less than five (5) feet from the lot line.

SECTION 33.00 - MARQUEES WITHIN ONE OF THE REQUIRED
SIDE YARDS IN A RESIDENTIAL DISTRICT

- 33.01 - General. - In Residential Districts, a marquee shall be permitted for the parking of automobiles, including [above them] a terrace, a laundry, a bedroom, a bath, a kitchen, or a dining room as an integral part of the marquee, joined to the principal building in one of the required side yards, when this complies with the General Provisions concerning Marquees established in Section 32.00 of Topic 9 of this Regulation and with the requirements established in this Section.
- 33.02 - Height for Marquees within One of the Required Side Yards in Residential Districts. - No marquee shall extend totally or partially within the required side yard for more than one floor nor exceed thirteen (13) feet in height.
- 33.03 - Maximum Width of Marquees within One of the Required Side Yards in a Residential District. - The maximum width of any marquee which projects within a required side yard shall be not more than thirteen (13) feet.
- 33.04 - Length of Marquees within One of the Required Side Yards in a Residential District. - The length of the tile of the roof of the marquee may be equal to, but not greater than the total length of the building including the eaves. The marquee shall not be permitted to extend into the required front or rear yards.
- 33.05 - Separation between the Space for the Parking of the Vehicle and Other Uses Permitted in the Marquees within one of

the Required Side Yards in a Residential District. -
When a separation is erected, through choice or necessity, between the area of the terrace, laundry, bedroom, bath, kitchen or dining room, permitted as an integral part of the marquee, and the area for parking the vehicle, the dividing wall to be constructed must comply with the requirements concerning the closing off of the marquee with a rear wall established in Subsection 32.05 of this Topic, provided that the ventilation of the existing parts of the building is not affected. In these cases, the wall opposite the principal wall of the building shall be completely closed when it encloses a bedroom, a bath, a kitchen or a dining room. Bedrooms and Kitchens shall have dimensions not less than those required by existing regulations.

33.06 - "Closet" Facilities on the Opposite Side of a Marquee from the Principal Building, within One of the Required Side Yards in a Residential District. - "Closet" facilities shall be permitted in the side of the marquee opposite the principal building. The maximum width permitted for these "closets" shall not exceed forty (40) inches, and they may not project into the minimum width of space required for the parking of the vehicle.

SECTION 34.00 - MARQUEES WITHIN THE OTHER REQUIRED SIDE YARD
IN A RESIDENTIAL DISTRICT

- 34.01 - General. - In cases in which the location of the principal building makes possible the construction of an additional marquee for the parking of a vehicle, connected to the principal building within the other required side yard in a Residential District, such a marquee shall be permitted provided that it complies with the General Provisions concerning Marquees established in Section 32.00 of Topic 9 of this Regulation and with the requirements established in this Section.
- 34.02 - Height of Marquees within the Other Required Side Yard in a Residential District. - No marquee that projects totally or partially within a required side yard shall be more than one (1) floor nor more than thirteen (13) feet in height.
- 34.03 - Maximum Width for Marquees within the Other Required Side Yard in a Residential District. - The maximum width of any marquee that projects within a required side yard shall be not greater than thirteen (13) feet.
- 34.04 - Length for Marquees within the Other Required Side Yard in a Residential District. - The length of the tile roof shall not exceed thirty (30) feet including the eaves. Marquees shall not be permitted to extend into the required front or rear yards.

SECTION 35.00 - MARQUEES WITHIN THE REQUIRED REAR YARD IN
A CORNER LOT IN A RESIDENTIAL DISTRICT

- 35.01 - General. - In a corner lot in a Residential District, the construction of a marquee shall be permitted for the parking of one vehicle, joined to the principal building and within the required rear yard when that complies with the General Provisions concerning Marquees established in Section 32.00 of Topic 9 of this Regulation and with the requirements established in this Section.
- 35.02 - Height of Marquees within the Required Rear Yard in a Corner Lot in a Residential District. - No marquee that projects totally or partially within a required rear yard of a corner lot shall be more than one floor nor more than thirteen (13) feet high.
- 35.03 - Maximum Width for Marquees within the Required Rear Yard of a Corner Lot in a Residential District. - The maximum width of any marquee that projected within the required rear yard of a corner lot shall not exceed exceed thirteen (13) feet.
- 35.04 - Length for Marquees within the Required Rear Yard of a Corner Lot in a Residential District. - The length of the tile of the roof shall be not greater than the total width of the building including the eaves, nor more than thirty (30) feet, whichever is the least.

TOPIC 10

ACCESSORY BUILDINGS AND USES

SECTION 36.00 - ACCESSORY BUILDINGS AND USES
IN RESIDENTIAL DISTRICTS

- 36.01 - General. - In Residential Districts, space may be provided for uses accessory to any principal purposes permitted in the district in which the appurtenance is situated, when the provisions of this Section are complied with.
- 36.02 - Separate Housing Units in Accessory Buildings in R-0, R-2, R-3, R-4, R-5 and R-6 Districts. - In R-0, R-2, R-3, R-4, R-5 and R-6 Districts, permission shall be given for the use of any floor of an accessory building as a separate housing unit, provided that the number of housing units in this is not more than two (2) and that the population density in the appurtenance is in conformity with that established for the specific zoning district in which this is situated.
- 36.03 - Home Business Occupations and Professional Offices or Studios of a Resident as Accessory Uses in Residential Districts. - In Residential Districts, home business occupations and professional offices or studios, as uses accessory to the principal purpose of the housing, shall comply with the following:
- (1) - The area or space to be occupied or used for these purposes shall not exceed twenty-five percent (25%) of the gross floor space occupied or used for the principal purpose of the permitted housing unit.

When an accessory building is used for these purposes, the size of the area or space to be occupied or used for this shall be the smaller of either the size indicated in the preceding sentence or the maximum percentage of area of occupation permitted in the accessory building.

- (2) - No person shall be employed who is not a member of the family that lives in the housing unit, except in the practice of a profession, in which the employment of one private person who does not live in the appurtenance shall be permitted.
- (3) - No space or place for the sale of drinks or foods shall be provided or maintained.
- (4) - No article shall be offered for sale nor any service offered to the public except those that can be produced with the use of mechanical equipment of current use in the home by the immediate members of the family that lives in the housing, or those that can be offered by the professional person who lives there.
- (5) - There shall be no reference to the fact that the building or a part of it is being used for these functions or being used entirely or in part for any purpose other than that of housing, except for the signs permitted for these purposes by this Regulation.
- (6) - Commercial characteristics shall not be given to a structure or an appurtenance where home occupations are being carried out, or where there is the professional

sional office or studio of a resident, under the provisions of this Section.

36.04 - Barber Shops or Beauty Salons as Accessory Uses in Residential Districts. - In Residential Districts, barber shops or beauty salons, as uses accessory to the principal purpose of permitted housing, shall comply with the following:

- (1) - The area or space to be occupied or used for these purposes shall not exceed twenty-five percent (25%) of ~~the~~ the gross floor space occupied or used for the principal purpose of the permitted housing. When an accessory building is used for these purposes, the size of the space or area to be occupied or used in this way shall be the smaller of either that specified in the preceding sentence or the maximum percentage of area of occupation permitted in the accessory building.
- (2) - Not more than one (1) barber chair or beauty-shop chair shall be used for these purposes, and the operator must live in the appurtenance.
- (3) - No article shall be offered for sale nor any service offered to the public except those that are produced by the operator who lives in the building.
- (4) - Commercial characteristics shall not be given to the structures or appurtenances where a barber shop or beauty shop is operated under the provisions of this Section.

- (5) - The signs to be permitted shall conform with the provisions of Section 48.00 of Topic 15 of this Regulation.

36.05 - Height for Accessory Buildings in Residential Districts. -

In Residential Districts, no accessory building shall have more than two (2) floors nor exceed seven (7) meters in height, except for buildings for agricultural uses permitted in R-0 and R-1 Districts, the heights of which shall be determined on the basis of the gross floor space permitted for them.

36.06 - Area of Occupation for Accessory Buildings in Residential

Districts. - The area of occupation for accessory buildings shall not exceed two percent (2%) of the lot area in R-0 Districts, and fifteen percent (15%) of the lot area in the other residential districts.

36.07 - Gross Floor Space for Accessory Buildings in Residential Districts. -

- (1) - In R-0 Districts, the gross floor space of accessory buildings shall not exceed four percent (4%) of the lot area. In no case shall the gross floor space of any floor above the ground floor exceed the maximum percentage of the area of occupation permitted for the said ground floor.
- (2) - In R-1, R-2, R-3, R-4, R-5 and R-6 Districts, the gross floor space of the ground floor of the accessory buildings shall not exceed fifteen percent (15%) of the lot area, and the gross floor space of any floor above

the ground floor shall not exceed seven percent (7%) of the lot area.

When, in R-2, R-3, R-4, R-5 and R-6 Districts, it is proposed to occupy or use a second floor over the accessory building for exclusive purposes of separate housing, the gross floor space of this second floor may be increased up to a maximum of fifteen percent (15%) of the lot area, provided that there are not more than three (3) bedrooms and that the size of each one of these is not larger than twelve (12) feet by twelve (12) feet, and that the additional dependencies shall include only a kitchen, sanitary service and a balcony for each permissible housing unit.

36.08 - Location of Accessory Buildings and Uses in Residential Dis-

tricts. - Spaces for accessory uses may be provided as a part of the principal building, and these as well as accessory buildings may be situated, except when indicated to the contrary by this Regulation, in any part of the lot where it is permitted to locate the principal building, or in required side or rear yards in R-1, R-2, R-3, R-4, R-5 and R-6 Districts in accordance with the following:

- (1) - Accessory buildings in interior lots, situated in R-1, R-2, R-3, R-4, R-5 and R-6 Districts, may be placed in required side or rear yards, provided that they are constructed at a distance from the street line of not less than sixty percent (60%) of the depth of the lot. When the depth of the lot is greater

than that required in the zoning district in which it is situated, a setback shall be permitted equal to the required percentage, multiplied by the minimum dept depth of lot required for the zoning district under consideration. Accessory buildings that are constructed up to the lot line shall be separated from the principal building by a distance of not less than one and one-half (1.5) meters. In cases in which it is projected to locate an accessory building at least one and one-half (1.5) meters away from the principal building, the requirements for yards for the zoning district in which the appurtenance is situated must be observed.

- (2) - Accessory buildings on corner lots or on lots that front on two or more streets, or other similar cases situated in R-1, R-2, R-3, R-4, R-5 and R-6 Districts, may be placed in required side or rear yards, provided they are constructed at a distance from the street lines of not less than sixty percent (60%) of the depth of the lot nor less than forty percent (40%) of the distance between the street line and the directly opposite extremity of the lot when that point does not constitute the depth of the lot. When the depth of the lot is greater than that required in the zoning district in which it is situated, a setback shall be permitted equal to the percentage required multiplied by the minimum depth of lot for the zoning district under consideration.

Accessory buildings that are constructed up to the lot line shall be separated from the principal building by a distance of not less than one and one-half (1.5) meters. In cases in which it is projected to place an accessory building less than one and one-half (1.5) meters away from the principal building, the yard requirements for the zoning district in which the appurtenance is situated must be observed.

SECTION 37.00 - ACCESSORY BUILDINGS AND USES

IN C-1, C-2 and C-3 DISTRICTS

37.01 - General. - In C-1, C-2 and C-3 Districts, spaces may be provided for uses accessory to any principal purpose permitted in the district in which the appurtenance is situated, when the provisions established in this Section are complied with.

No accessory building in these districts may be used as a separate housing unit.

37.02 - Storage as an Accessory Use in C-1, C-2 and C-3 Districts. - In C-1, C-2 and C-3 Districts, permission shall be given for the provision of space for storage as a use accessory to any principal purpose permitted, provided that the size of the area or space to be occupied or used for this purpose does not exceed fifty percent (50%) of the gross floor space occupied or used for such principal purpose. When an accessory building is used for storage, the size of the area or space to be occupied or used for this purpose shall be the smaller of either the size indicated in the preceding sentence or the maximum percentage of the area of occupation permitted for said accessory building.

37.03 - Height of Accessory Buildings in C-1, C-2 and C-3 Districts. - In C-1, C-2 and C-3 Districts, no accessory building shall be more than seven (7) meters in height.

37.04 - Area of Occupation for Accessory Buildings in C-1, C-2 and C-3 Districts. - In C-1, C-2 and C-3 Districts, the area of occupation

of occupation of accessory buildings shall not exceed fifteen percent (15%) of the lot area.

37.05 - Gross Floor Space for Accessory Buildings in C-1, C-2 and C-3 Districts. - In C-1, C-2 and C-3 Districts, the gross floor space of the ground floor of accessory buildings shall not exceed fifteen percent (15%) of the lot area and the gross floor space of any floor over the ground floor shall not exceed seven percent (7%) of the lot area.

37.06 - Location of Accessory Buildings and Uses in C-1, C-2 and C-3 Districts. - Spaces may be provided for accessory uses as a part of the principal building, and these as well as the accessory buildings may be situated, except when indicated to the contrary by this Regulation, in any section of the lot in which the location of the principal building is permitted, or in the required side or rear yards in accordance with the following:

- (1) - Accessory buildings in interior lots situated in C-1, C-2 and C-3 Districts, may be placed in required side or rear yards, provided they are constructed at a distance from the street line of not less than sixty percent (60%) of the depth of the lot. When the depth of the lot is greater than that required in the zoning district in which it is situated, a setback shall be permitted equal to the required percentage multiplied by the minimum depth of lot for the zoning district under consideration. Accessory buildings that are constructed up to the lot line shall be separated

from the principal building by a distance of no less than one and one-half (1.5) meters. In cases in which it is projected to place an accessory building less than one and one-half (1.5) meters away from the principal building, the requirements for yards in the zoning district in which the appurtenance is situated must be observed.

- (2) - Accessory buildings on corner lots or on lots that front on two or more streets, or other similar cases situated in C-1, C-2 and C-3 Districts, may be placed in required side and rear yards, provided they are constructed at a distance from the street lines of not less than sixty percent (60%) of the depth of the lot nor less than forty percent (40%) of the distance between the street line and the directly opposite side of the lot when that distance does not constitute the depth of the lot. When the depth of the lot is greater than that required for the zoning district in which it is situated, a setback shall be permitted equal to the required percentage multiplied by the minimum lot depth for the zoning district under consideration. Accessory buildings that are constructed up to the lot line shall be separated from the principal building by a distance of not less than one and one-half (1.5) meters. In cases in which it is projected to place an accessory

bu building less than one and one-half (1.5) meters away from the principal building, the requirements for yards for the zoning district in which the appurtenance is situated must be observed.

SECTION 38.00 - ACCESSORY BUILDINGS AND USES

IN I-1, IL-1 and I-2 DISTRICTS

- 38.01 - General. - In I-1, IL-1 and I-2 Districts, spaces may be provided for uses accessory to any principal purpose permitted in the district in which the appurtenance is situated, when the provisions of this Section are complied with.
- 38.02 - Storage as an Accessory Use in I-1, IL-1 and I-2 Districts. - In I-1, IL-1 and I-2 Districts, permission shall be given to provide space for storage as a use accessory to any principal purpose permitted, provided that the size of the area or space to be occupied or used for this purpose shall not exceed fifty percent (50%) of the gross floor space occupied or used by such principal purpose.
- 38.03 - Housing Facilities as an Accessory Use in I-1, IL-1 and I-2 Districts. - In I-1, IL-1 and I-2 Districts, permission shall be given for the provision of housing facilities for a night watchman or guard employed in the appurtenance, when the industrial uses permitted in the district are being carried on in the premises.
- 38.04 - Height of Accessory Buildings in I-1, IL-1 and I-2 Districts. - In I-1, IL-1 and I-2 Districts, no accessory building shall exceed in height the maximum height permitted in the district for the principal building.
- 38.05 - Area of Occupation and Gross Floor Space for Accessory Buildings in I-1, IL-1 and I-2 Districts. The area of occupation and

the gross floor space of the accessory buildings combined with those of the principal building shall not exceed the maximum percentage established for the area of occupation and gross floor space for the specific district in which the appurtenance is situated.

38.06 - Location of Accessory Buildings and Uses in I-1, IL-1 and I-2 Districts. - Spaces may be provided for accessory uses as a part of the principal building, and these as well as accessory buildings may be situated in any section of lot in which the location of the principal building is permitted, or in required side or rear yards in I-1 Districts in accordance with the following:

- (1))- Accessory buildings situated on interior lots in ~~Dist~~ Districts may be placed in required side or rear yards, provided they are constructed at a distance from the street line of not less than sixty percent (60%) of the depth of the lot. When the depth of the lot is greater than that required in the zoning district in which it is situated, a setback shall be permitted of the required percentage multiplied by the minimum depth of lot for the zoning district under consideration. Accessory buildings that are constructed up to the lot line shall be separated from the principal building by a distance of not less than a meter and a half (1.5). In cases in which it is projected to place an accessory ~~buil~~ building less than one and one-half (1.5) meters away from the principal building, the requirements for yards

for the zoning district in which the appurtenance is situated must be observed.

- (2) - Accessory buildings on corner lots or on lots that front on two or more streets, or other similar cases, situated in I-1 Districts may be placed in required side or rear yards provided they are constructed at a distance from the street lines of not less than sixty percent (60%) of the depth of the lot nor less than forty percent (40%) of the distance between the street line and the directly opposite side of the lot when that distance is not the depth of the lot. When the depth of the lot is greater than that required in the zoning district in which it is situated, a setback shall be permitted which is equal to the required percentage multiplied by the minimum depth of lot for the zoning district under consideration. Accessory buildings that are constructed up to the lot line shall be separated from the principal building by a distance of not less than one and one-half (1.5) meters. In cases in which it is projected to place an accessory building less than one and one-half (1.5) meters away from the principal building, the requirements for yards for the zoning district in which the appurtenance is situated must be observed.

TOPIC 11

LOTS WITH AREA, WIDTH OR DEPTH LESS THAN THAT REQUIRED

SECTION 39.00 - AREA OF OCCUPATION AND SIZE OF SIDE AND
REAR YARDS TO BE PERMITTED ON LOTS WITH AREA, WIDTH OR
DEPTH LESS THAN THAT PERMITTED IN RESIDENTIAL DISTRICTS.

39.01 - Area of Occupation for Lots with an Area less than that
Required. - On lots with areas less than that required
for the residential district in which they are situated,
permission shall be given for the maximum percentages
of area of occupation as expressed in the following,
for buildings of up to two (2) floors:

| Minimum Size of Lot (Square Meters) | Maximum Area of Occupation Permissible (Percentage of the Lot) |
|--|---|
| 8,000 | 10.0 |
| 6,000 | 10.0 |
| 4,000 | 15.0 |
| 2,000 | 30.0 |
| 1,000 | 35.0 |
| 900 | 35.0 |
| 850 | 36.7 |
| 800 | 38.3 |
| 750 | 40.0 |
| 700 | 41.7 |
| 650 | 43.3 |
| 600 | 45.0 |
| 550 | 46.6 |
| 500 | 48.3 |
| 450 to 200 | 50.0 |

On lots with an area of less than two hundred (200) s

square meters, permission shall be given for an area of occupation greater than fifty percent (50%) of the lot area, in accordance with the following:

- (a) - For buildings with a wall permitted on one of the side lot lines, an increase of five percent (5%).
- (b) - For buildings with two (2) walls permitted on the side lots lines, an increase of ten percent (10%).

39.02 - Side Yards on Lots with a Width Less than that Required. -

On lots with a width less than that required for the residential district in which they are situated, permission shall be given for sizes of side yards, for buildings of up to two (2) floors, in accordance with the following:

| Minimum-Width of Lot (Meters) | Side Yards | | |
|----------------------------------|--------------------|----------------------------|-------------------------------------|
| | Number of Yards | Minimum Width in Meters | Total in Meters of Not Less Than |
| 25 | 2 | 4.00 | 8.00 |
| 24 | 2 | 3.80 | 7.70 |
| 23 | 2 | 3.60 | 7.40 |
| 22 | 2 | 3.40 | 7.00 |
| 21 | 2 | 3.20 | 6.70 |
| 20 | 2 | 3.00 | 6.40 |
| 19 | 2 | 2.75 | 6.00 |
| 18 | 2 | 2.50 | 5.70 |
| 16 | 2 | 2.25 | 5.40 |
| 15 | 2 | 2.00 | 5.00 |
| 14 | 2 | 2.00 | 5.00 |
| 13 | 2 | 2.00 | 5.00 |
| 12 | 2 | 2.00 | 4.50 |
| 11 | 2 | 2.00 | 4.00 |
| 10 | 2 | 2.00 | 3.00 |
| Less than 10 | 2 | 1.50 | -- |
| Less than 9 | 1 | 1.50 | -- |
| Less than 7 | 0 | 0 | -- |

In cases in which side yards are not required, permission shall be given for the building to cover the ground right up to the side lot lines provided that the wall that is constructed, on any side lot line, is built of opaque, non-combustible material.

39.03 - Rear Yards on Lots with a Depth Less than that Required.-

On lots with a depth less than that required for the residential district in which they are situated, permission shall be given for sizes of rear yards, for buildings of up to two (2) floors, in accordance with the following:

| Minimum Depth of Lot in Meters | Rear Yard in Meters |
|-----------------------------------|------------------------|
| 30 | 5.00 |
| 28 | 4.60 |
| 26 | 3.80 |
| 25 | 3.00 |
| 24 | 3.00 |
| 22 | 3.00 |
| 19 | 2.80 |
| 18 | 2.60 |
| 17 | 2.40 |
| 16 | 2.20 |
| 15 | 2.00 |
| 14 | 1.80 |
| 13 | 1.60 |
| 12 | 1.50 |
| Less than 12 | 0 |

In cases in which a rear yard is not required, permission shall be given for the building to cover the lot up to the rear lot line, provided that the wall that is constructed is built of opaque, non-combustible material.

AL

TOPIC 12

ALTERATIONS AND ENLARGEMENTS OF STRUCTURES
WITH LEGAL NON-CONFORMING USES

SECTION 40.00 - ALTERATIONS AND ENLARGEMENTS OF STRUCTURES
WITH LEGAL NON-CONFORMING USES IN RESIDENTIAL DISTRICTS

40.01 - Alterations and Enlargements in Legal Non-Conforming Uses

in Residential Districts. - In Residential Districts, permission shall be given for the alteration, reconstruction or horizontal enlargement in concrete or any other permanent material of the legal non-conforming section used in a building provided that the following are complied with:

- (1) - That a public hearing is carried out to consider this type of project.
- (2) - That the legal non-conforming use established in the appurtenance pertains to retail sale of articles of consumption and current use in the home and that it is determined that this is necessary for service to the immediate neighborhood.
- (3) - When the exterior walls of the section to be altered or reconstructed are of concrete or of any other permanent material, yards no smaller than the existing ones shall be permitted.
- (4) - Horizontal enlargements to be constructed can be used only for greater facility of the existing uses, their

size shall not exceed fifty percent (50%) of the gross floor space of the existing premises, and they shall comply with the other requirements established by this Regulation for the specific district in which the appurtenance is situated.

- (5) - The grouping of lots shall not be considered for the construction of enlargements of a legal non-conforming use.

TOPIC 13

PROJECTS FOR EXTENSIVE RESIDENTIAL DEVELOPMENTS
AND DIFFERENT TYPES OF BUILDINGS

SECTION 41.00 - PROJECTS FOR EXTENSIVE RESIDENTIAL DEVELOPMENTS

41.01 - General Provisions for Extensive Residential Development

Projects. - In R-1, R-2, R-3, RR-4 and C-1 Districts, extensive residential projects may be submitted to the Board, including urbanization projects for the formation of lots, and for the formation of lots and the construction of housing units, projects for urban rehabilitation and renovation, projects for public urbanization of social interest, or projects for one or more buildings on the same lot, and the Board may authorize such projects in harmony with the recommendations of the Regulating Plan, insofar as this has been adopted or studied. In these cases, the Board shall carry out public hearings, if the project involves changes in the established requirements for the specific district or changes in the use of lands.

Extensive residential projects shall include residential developments for:

Twenty (20) or more families or lots in towns or areas with an urban population, according to the census, of less than ten thousand (10,000) persons.

Forty (40) or more families or lots in towns and area with an urban population, according to the census, of between ten thousand (10,000) and forty thousand (40,000) persons.

Sixty (60) or more families or lots in towns or areas with an urban population, according to the census, of more than forty thousand (40,000) persons.

41.02 - Types of Buildings to be Permitted in Extensive Residential Development Projects. - In extensive residential development projects, permission shall be given for one-family or two-family houses, for row houses or for apartment houses, when they comply with the provisions established further on in Sections 42.00, 43.00 and 44.00 of this Topic.

SECTION 42.00 - ONE-FAMILY OR TWO-FAMILY HOUSES IN
EXTENSIVE RESIDENTIAL DEVELOPMENT PROJECTS

- 42.01 - General. - In projects for extensive residential development, permission shall be given for the construction of buildings to be occupied or used as one-family or two-family houses when the provisions of this Section are complied with.
- 42.02 - Height of One-Family or Two-Family Houses. - No building shall have more than two (2) floors nor exceed nine (9) meters in height. A greater height shall be permitted provided that the gross floor space and the width of any yard complies with the provisions of this Section.
- 42.03 - Size of Lots for One-Family or Two-Family Houses. - The size of lots shall be determined on the basis of the provisions concerning size of lots established for the zoning district in this Regulation which corresponds to the size of lot proposed and that is approved in the residential development.
- 42.04 - Area of Occupation for One-Family or Two-Family Houses. - The area of occupation shall not exceed fifty percent (50%) of the lot area.
- 42.05 - Gross Floor Space for One-Family or Two-Family Houses. - The gross floor space shall not exceed one hundred percent (100%) of the lot area. In no case shall the gross floor space of any floor above the ground floor exceed the maximum percentage of the permitted area of occupation.
- 42.06 - Yards for One-Family or Two-Family Houses. - The requirements

for yards may be those established for the zoning district in this Regulation, which correspond to the size of lot that is approved, or the requirements may be established by the Board on the basis of the development project submitted.

- 42.07 - Accessory Buildings and Uses in Projects for One-Family or Two-Family Houses. - Accessory buildings and uses shall conform with the provisions of Section 36.00 of Topic 10 of this Regulation.
- 42.08 - Marquees in One-Family or Two-Family Projects. - Marquees shall conform with the provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 10 of this Regulation.
- 42.09 - Towers, Fences and Gateways for One-Family or Two-Family Houses. - Towers, fences and gateways shall conform with the provisions of Section 30.00 of Topic 7 of this Regulation.
- 42.10 - Signs on One-Family or Two-Family Houses. - Signs shall conform with the provisions established in Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.
- 42.11 - Projecting Structures in One-Family or Two-Family Housing Projects. - Cornices, eaves, roofs and other architectural features may project within required yards up to a distance of not more than one (1) meter. Permission shall likewise be given for the projection of open balconies up to a distance of not more than one (1) meter within required front and rear yards, provided that these balconies are separated by no less than five (5) feet from any side or rear lot line.
- 42.12 - Other Aspects related to Projects for One-Family or Two-Family

Houses. - The pertinent urbanization works shall be carried out for extensive residential development projects.

Buildings or floors of buildings occupied or used for a single housing unit shall have their dependencies functionally related among themselves for the exclusive use of one family.

SECTION 43.00 - ROW HOUSES IN EXTENSIVE RESIDENTIAL PROJECTS

43.01 - General. - In projects for extensive residential developments, permission shall be given for the construction of buildings to be occupied or used as row houses when the provisions of this Section are complied with.

43.02 - Housing Units in One House in a Row. - One house in a row shall not contain more than ten (10) housing units.

43.03 - Height of Row Houses. - No buildings shall have more than two (2) floors nor exceed nine (9) meters in height.

Permission shall be given for a greater height provided that the gross floor space and the width of any yard complies with the provisions of this Section.

43.04 - Size of Lots for Row Houses. - The lot for each housing unit shall have an area that shall depend on the width of the unit, the area of occupation permitted and the size of the yards or separation between buildings or areas on the same lot, as required by this Section.

For each interior housing unit, a minimum width of lot of six (6) meters shall be required. For housing units that are at the ends of rows of row houses, a minimum width of lot of not less than nine (9) meters shall be required.

43.05 - Population Density for Row Houses. - For each housing unit, a lot area of not less than one hundred and fifty (150) square meters shall be required.

43.06 - Area of Occupation for Row Houses. The area of occupation shall not exceed fifty percent (50%) of the lot area.

- 43.07 - Gross Floor Space for Row Houses. - The gross floor space shall not exceed one hundred percent (100%) of the lot area. In no case shall the gross floor space of any floor over the ground floor exceed the maximum percentage of the permitted area of occupation.
- 43.08 - Front Yards for Row Houses. - One (1) front yard with a depth of not less than three (3) meters shall be required when the building provides space to park vehicles or when a common parking area is provided, and not less than six (6) meters when no such parking space or common parking area is provide.
- 43.09 - Side and Rear Yards for Row Houses. - Side and rear yards shall be required with a width and depth of not less than three (3) meters each. Any side or rear yard or part of such yard that borders on a street shall be considered as a front yard.
- 43.10 - Separation between Row Houses or Areas on the Same Lot. -
The following minimum separations shall be required between row houses and between areas on the same lot:
- Between principal facades, a distance of not less than twelve (12) meters.
 - Between rear facades, a distance of not less than six (6) meters.
 - Between ~~side~~ side facades, a distance of not less than six (6) meters.
 - Between a principal facade and a rear facade, a distance of not less than twelve (12) meters.
 - Between a principal facade and a side facade, a distance of not less than twelve (12) meters.

Between a side facade and a rear facade, a distance of not less than six (6) meters.

Between buildings and parking areas, parks, promenades, pedestrian walks and other similar areas, a distance of not less than three (3) meters.

43.11 - Accessory Buildings and Uses in Row House Projects. -

Accessory buildings, or service areas for drying clothes, shall be located in the rear of buildings and shall comply with the other provisions established in Section 36.00 of Topic 10 of this Regulation.

43.12 - Parking Areas for Row Houses. - At least one (1) space for

one (1) vehicle shall be provided for each housing unit.

The common parking areas shall comply with the provisions for design of parking areas in Subsection 31.02 of Topic 8 of this Regulation.

43.13 - Marquees for Row Houses. - Marquees shall conform with the

provisions of Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.

43.14 - Towers, Fences and Gateways for Row Houses. - Towers, fences

and gateways shall conform with the provisions of Section 30.00 of Topic 7 of this Regulation.

43.15 - Signs on Row Houses. - Signs shall conform with the provisions

established in Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.

43.16 - Projecting Structures in Row Housing Projects. - Cornices,

eaves, roofs and other architectural features may project

within required yards and separations between buildings or areas of the same lot as specified in this Section, up to a distance of not more than one (1) meter. Permission shall likewise be given for the extension of open projecting balconies up to a distance of not more than one (1) meter within the required front and rear yards, provided that these balconies are separated by not less than five (5) feet from any side or rear lot line.

- 43.17 - Other Aspects Related to Row Housing Projects. - The urbanization works that pertain to projects of extensive residential development shall be carried out.

SECTION 44.00 - APARTMENT HOUSE PROJECTS
IN EXTENSIVE RESIDENTIAL DEVELOPMENTS

44.01 - General. - In projects for extensive residential developments, permission shall be given for construction of buildings to be occupied or used as apartment houses when the provisions of this Section are complied with.

44.02 - Height of Apartment Houses. - The height of the buildings shall be determined on the basis of the gross floor space permitted and on the size of the yards or separation between buildings or between areas on the same lot required by this Section.

44.03 - Population Density in Apartment House Projects. - The number of families to be permitted shall be determined on the basis of the total lot area for apartment houses in accordance with the following:

On lots with an area of two thousand (2,000) square meters, one family shall be permitted for each one hundred (100) square meters of lot area.

On lots with an area of three thousand eight hundred (3,800) square meters or more, one family shall be permitted for each ninety-five (95) square meters of lot area.

On lots with an area of five thousand four hundred (5,400) square meters or more, one family shall be permitted for each ninety (90) square meters of lot area.

On lots with an area of six thousand eight hundred (6,800) square meters or more, one family shall be permitted for each eighty-five (85) square meters of lot area.

On lots with an area of eight thousand (8,000) square meters or more, one family shall be permitted for each eighty (80) square meters of lot area.

On lots with an area of fifteen thousand (15,000) square meters or more, one family shall be permitted for each seventy-five square meters of lot area.

On lots with an area of twenty-one thousand (21,000) square meters or more, one family shall be permitted for each seventy (70) square meters of lot area.

If the lot under consideration for an apartment house project is subsequently subdivided into two (2) or more lots, the number of families to be permitted on each lot shall be equal to the proportion between the net residential area of the new lot and the ~~total net residential~~ area of the lot under original consideration multiplied by the total number of families permitted on the latter.

In apartment house projects, permission shall be given to convert the number of basic housing units permitted into a larger number of smaller units on the basis of the number of bedrooms per type of apartment, and in accordance with the following relationship:

| Number of Bedrooms per Apartment | Equivalent in Terms of Basic Housing Units |
|-------------------------------------|---|
| 0 ("studio or efficiency") | 0.4 |
| 1 | 0.6 |
| 2 | 0.8 |
| 3 | 1.0 |

When more than three (3) bedrooms per apartment are

provided, each additional bedroom shall be computed at the rate of 0.2 housing unit extra. In no case shall the number of basic housing units exceed the number of families permitted on the lot.

44.04 - Area of Occupation in Apartment House Projects. - The area of occupation shall not exceed the maximum percentage of the total lot area which, on the basis of the permitted population density, is indicated in the following:

| Square Meters of Lot Per Family, As Permitted | Area of Occupation, Maximum Percentage of the Lot Area Permitted |
|---|--|
| 85 or more | 30 |
| 80 to 84 | 25 |
| 75 to 79 | 25 |
| 70 to 74 | 20 |

44.05 - Gross Floor Space in Apartment House Projects. - The gross floor space shall not exceed the percentage which, on the basis of population density, is indicated in the following. In no case shall the gross floor space of any floor above the ground floor exceed the maximum percentage of area of occupation permitted.

| Square Meters of Lot Per Family, as Permitted | Gross Floor Space, Maximum Percentage of the Total Lot Area Permitted |
|---|---|
| 86 or more | 175 |
| 75 to 85 | 200 |
| 70 to 84 | 225 |

If the lot under consideration for an apartment house project is subsequently subdivided into two (2) or more lots, the gross floor space to be permitted in each lot shall be equal to the proportion between the net residential floor space of the new lot and the total net area of the lot originally under consideration, multiplied by the ~~total gross floor space~~ permitted in the latter.

44.06 - Front Yards for Apartment Houses. - One (1) front yard shall ~~be required with a~~ depth not less than six (6) meters or one-fifth (1/5) of the height of the building, whichever is greater.

44.07 - Side Yards for Apartment Houses. - Two (2) side yards shall be required, each with a width of not less than six (6) meters or one-fifth the height of the building, whichever is greater. Any side yard or part of a side yard that borders on a street shall be considered as a front yard.

44.08 - Rear Yards for Apartment Houses. - One (1) ~~rear~~ rear yard shall be required with a depth of not less than six (6) meters or one-fifth (1/5) the height of the building, whichever is greater. Any rear yard or part of a rear yard that borders on a street shall be considered as a front yard.

44.09 - Separation between Apartment Houses or Areas on the Same Lot. - The following separations shall be required between apartment houses or areas on the same lot:

Between principal facades, a distance not less than eighteen (18) meters, nor less than one-fifth (1/5) the

sum of the heights of the buildings under consideration, whichever is greater.

Between rear facades, a distance of not less than twelve (12) meters, nor less than one-fifth ($1/5$) the sum of the heights of the buildings under consideration, whichever is greater.

Between side facades, a distance not less than twelve (12) meters, nor less than one-fifth ($1/5$) the sum of the heights of the buildings under consideration, whichever is greater.

Between a principal facade and a side or rear facade, a distance of not less than eighteen (18) meters nor less than one-fifth ($1/5$) the sum of the heights of the buildings under consideration, whichever is greater.

Between a side facade and a rear facade, a distance not less than eighteen (18) meters, nor less than one-fifth ($1/5$) the sum of the heights of the buildings under consideration, whichever is greater.

Between building and parking areas, parks, promenades, pedestrian walks, service areas, loading and unloading areas, and other similar areas, a distance not less than one and one-half (1.5) meters.

44.10 - Accessory Buildings and Uses in Apartment House Projects. -

Accessory buildings or service areas for drying clothes or collecting garbage, shall be located at the side or rear of the buildings and shall comply with the other provisions established in Section 36.00 of Topic 10 of this Regulation.

- 44.11 - Parking Areas for Apartment House Projects. - At least one (1) space for one (1) vehicle for each housing unit shall be provided. In addition, the stipulations for the design of parking areas in Subsection 31.02 of Topic 8 of this Regulation shall be complied with.
- 44.12 - Marquees in Apartment House Projects. - Marquees shall conform with the provisions in Sections 32.00, 33.00, 34.00 and 35.00 of Topic 9 of this Regulation.
- 44.13 - Loading and Unloading Space for Apartment House Projects. - Any building occupied or used for an apartment house shall be provided with a space for loading and unloading of a size not less than eight (8) meters by three (3) meters for each forty (40) housing units, and these spaces shall be situated at the side or the rear of the buildings.
- 44.14 - Towers, Fences and Gateways in Apartment House Projects. - Towers, fences and gateways shall conform with the provisions of Section 30.00 of Topic 7 of this Regulation.
- 44.15 - Signs in Apartment House Projects. - Signs shall conform with the provisions established in Sections 47.00, 48.00, 51.00 and 52.00 of Topic 15 of this Regulation.
- 44.16 - Commercial Facilities in Apartment House Projects. - Commercial facilities shall be permitted on the ground floor of a building contiguous to the neighborhood facilities in residential developments for two hundred (200) or more housing units, as established in Subsection 54.03 of Topic 16 of this Regulation.

When authorization is given for commercial facilities

in resid

in residential projects for two hundred (200) or more housing units which it is proposed to locate outside of the buildings, the land for such facilities shall not be taken into consideration in determining the number of housing units to be permitted in the project considered by the Board.

44.17 - Projecting Structures in Apartment House Projects. - Cornices, eaves, roofs and other architectural features may project within yards or separations between building or areas of the same lot, as required in this Section, up to a distance of not more than one (1) meter. Permission shall be given likewise for the projection of open balconies up to a distance of not more than one (1) meter, within the required front and rear yards, provided that these balconies are separated by no less than five (5) feet from any side or rear lot line.

44.18 - Other Aspects Related to Apartment House Projects. -
The urbanization works that pertain to projects for extensive residential developments shall be carried out.

TOPIC 14

PROJECTS FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

SECTION 45.00 - PROJECTS FOR COMMERCIAL DEVELOPMENTS

45.01 - Shopping Centers. - In R-1 and R-3 Districts, projects for commercial development of shopping centers may be submitted to the Board, and the Board may authorize the projects in harmony with the Regulating Plan, insofar as that has been adopted and studied. These projects must be justified in terms of the commercial necessities of the area that it is to serve. In addition, there shall be taken into consideration the implications of the project for the transportation system and for the development of the immediate sector. The Board may require any other information that it determines to make necessary for consideration of the project.

These projects may imply the construction of one or more buildings dedicated essentially to retail sales on a large scale, and the urbanization works that are necessary for the adequate functioning of the center.

In these cases, the Board shall carry out a public hearing to discuss the project and the possible amendments to the ~~pertinent~~ Zoning Map, such as to a C-4 District.

45.02 - Extensive Commercial Centers for Recreation. - In R-1 Districts, projects for extensive commercial centers for recreation may be submitted to the Board, and the Board may authorize the projects in harmony with the Regulating

Plan, insofar as that has been adopted or studied. These projects must be justified in terms of the potentialities of the area for the proposed development and the best use of the lands. In addition, consideration shall be given to the implications of the project on the system of transportation and the development of the immediate sector. The Board may require any other information that it decides to make necessary for consideration of the project.

These projects may imply the construction of one or more principal structures and those works of urbanization that are necessary for the adequate functioning of the center.

In these cases the Board shall carry out public hearings to discuss the project and the possible amendments to the pertinent Zoning Map as a C-5 District.

45.03 - Commercial Developments for Neighborhood Services. -

The Board may permit commercial developments for neighborhood facilities in harmony with the Regulation concerning Neighborhood Facilities (Planning Regulation No. 9).

SECTION 46.00 - PROJECTS FOR INDUSTRIAL DEVELOPMENTS

46.01 - Light Industrial Developments. - In R-1 and R-3 Districts, projects for industrial developments for light industries may be submitted to the Board, with the inclusion of urbanization for the formation of lots and the formation of lots and construction of buildings, and the Board may authorize the projects, in harmony with the recommendations of the Regulating Plan, insofar as this has been adopted or studied. These projects must be justified in terms of the potentialities of the area for the development of light industries, the availability of working force and best use of the lands. In addition, consideration must be given to the accesses and to the implications of the project for the transportation system or the development of the immediate sector. The Board may require any other information that it decides to make necessary for consideration of the project.

Projects for development of light industries include the development for these purposes of two (2) or more cuerdas $\sqrt{0.97}$ acre equals one cuerda of land in towns or areas with an urban population, according to the census, of less than ten thousand (10,000) persons; of five (5) or more cuerdas of land in towns or areas with an urban population, according to the census, of between ten thousand (10,000) and forty thousand (40,000) persons, and of ten (10) or more cuerdas of land in towns or areas with an urban population, according to the census, of over forty

thousand (40,000) persons.

In these cases, the Board shall carry out a public hearing to discuss the project and the possible amendments to the pertinent Zoning Map as an IL-1 District.

/ 46.02 - Limited Heavy Industries. - The Board may authorize the establishment of limited heavy industries for specific projects which, by their nature, must have taken into consideration in the decision concerning their location, the geographic, meteorological, and road conditions, the urban growth, the area of public interest, agricultural lands, provision of water, electrical energy, port facilities, the discharge of effluents, the sources of raw material and the industrial process.

In these cases, there shall be an advisory consultation with the Board concerning the location, accompanied by a preliminary project that indicates the use that will be made of the lands, as well as an explanatory memorandum concerning the project that includes a detailed description of the raw material to be used, the industrial process, the access to be used, the use of the coastal region if this is to be used, the provision of water, atmospheric contamination, treatment and disposal of industrial effluents, and the urbanization works necessary for the adequate functioning of the use to be established. The Board may require any other information that it decides to be necessary for consideration of the case.

In these cases, the Board shall carry out a public hearing to discuss the project and the possible amendments

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to the pertinent Zoning Map as an IL-2 District.

TOPIC 15

SIGNS AND ANNOUNCEMENTS

SECTION 47.00 - GENERAL PROVISIONS CONCERNING
SIGNS AND ANNOUNCEMENTS

47.01 - Installation of Signs and Announcements. - The installation of signs or announcements includes the construction, reconstruction, locating, placement, erection, re-locating, alteration, modification, enlargement or transfer of any sign or announcement. It shall not be considered an alteration when removable parts of a sign or announcement are substituted, the sign having been designed so that such substitutions can be made, or the painting of a sign or announcement which is already installed and conforms and will continue to conform with this Regulation.

47.02 - Size of Signs or Announcements.-

- (1) - The front of the building shall be the basis for computing the size of the sign or announcement to be permitted. The computation shall be carried out on the basis of the part of the wall of the building, including doors, windows or showcases, that pertain to the premises for each use, respectively.
- (2) - The size of the signs or announcements shall be determined on the basis of the area included within the outside perimeter of the text of the sign or announcement, including any addition of illumination or other type of device to give prominence to the letters that form part of the sign or announcement,

and not on the basis of the area of the individual letters or figures.

47.03 - Content of Signs or Announcements. -

- (1) - Any lettering, writing, printing, painting, emblem, drawing or other medium of commercial advertising, placed on the ground, on rocks or on any other structure, the purpose of which is to advertise commercially or call attention to a product, article, business, service or recreation that is offered, sold or carried out in a place other than the place where this appears, shall be considered an announcement for the purposes of this Regulation.
- (2) - Any lettering, writing, printing, painting, emblem, drawing or other medium, the purpose of which is to call public attention, other than an announcement, as established in clause (1) of this ~~Subin~~ section, shall be considered as a sign for the purposes of the application of this Regulation.
- (3) - Any sign the purpose of which is to call attention to a commercial activity, business, service, recreation, profession or household occupation, established in the place where the activity is going to take place, shall be considered to be a commercial sign. These signs may contain an indication of the products or articles that are offered or sold in the place on the premises and its trade marks, except that the

area used for this purpose shall not exceed fifty percent (50%) of the area of the sign to be installed. In cases in which the indication of the products or articles and their trade mark exceed fifty percent (50%) of the area of the sign to be installed, the sign shall be considered as an announcement for the purposes of the application of the provisions of this Regulation. Signs offering for sale or rent the property where the sign appears shall be considered as commercial signs.

- (4) - In Residential and Commercial Districts, signs for permitted institutional uses shall only identify the institution, or indicate the locality of the building, project or governmental activity, or the locality of an entity of civic character, a teaching, religious, philanthropic or charitable institution, and the hours and places of meetings of entities of the type mentioned. In Industrial Districts, these signs may contain announcements or commercial advertising in addition to the material indicated in the preceding.

47.04 - Placement and Location of Signs and Announcements. -

- (1) - No sign or announcement may be installed in a form that obstructs a required exit or in some way interferes with the required ventilation or illumination for a building.
- (2) - No sign or announcement may project upwards or out to the sides beyond the edge of the wall on which it

is placed, or beyond the level of the terrace or roof that, in the main, covers the building, nor may it be placed or located on the terrace or roof of any structure, on the cornices of the roof-terrace or roofs, on spires, belfries, towers, chimneys, elevated tanks, stairwells or similar structures that are situated on or project from the roof or the roof-terrace or on balconies or on any projection from the building that does not constitute a part of the general body of the building, except that in Commercial and Industrial Districts, permission shall be given for signs or announcements attached to concrete or masonry railings provided that the sign or announcement does not exceed forty (40) inches in height above the upper level of the railing.

- (3) - Signs or announcements on walls shall be installed fixed entirely flat against the wall, permitting a projection toward the front of the building up to twenty (20) inches from the wall, to be used exclusively for a frame, letters in relief or some other form of mounting.
- (4) - Signs and announcements supported on or over the ground shall be considered as signs or announcements fixed in the ground.
- (5) - No sign or announcement shall be installed overhanging of eaves, in Commercial or Industrial Districts, may project more than twenty (20) inches from the front

wall of the building. A projection of up to forty (40) inches shall be permitted when the eaves are entirely within the lot limits.

- (6) - No sign or announcement to be installed under an eave, in Commercial or Industrial Districts, may be less than eight (8) feet vertically above the sidewalk.

SECTION 48.00 SIGNS IN RESIDENTIAL DISTRICTS

48.01 - General. - In Residential Districts, permission shall be given for the installation of the following signs, provided that they comply with the Provisions concerning Signs established in Section 47.00 of this Regulation.

48.02 - Signs announcing professional activities or household occupations that do not exceed two (2) feet square in size, without illumination, installed flat against the wall that is the front of the building and parallel to the street.

48.03 - Signs concerning the sale or rental of real estate that do not exceed the size of twenty (20) square feet, without illumination, provided they are affixed within the premises that is offered for sale or rent. Only one sign to one property shall be permitted. When the sign is affixed to the building or structure, this shall be attached flat against the wall that is the front of the building and parallel to the street. If the sign is erected on the ground, it should be parallel to the street and its height from ground level to its highest extremity shall not be more than ten (10) feet.

48.04 - Identification Signs for inns or rooming houses, at the entrance of any permitted rooming house in the district, that do not exceed in size ten (10) square feet with or without illumination, but not with intermittent light) and attached to the wall that is the front of the building and parallel to the street. Only one sign to a property

shall be permitted.

48.05 - Identification signs for hotels that do not exceed in size one hundred (100) square feet, with or without illumination, but not intermittent illumination, attached to the front wall of any type of permitted hotel in R-0, R-1, R-5 and R-6 Districts, and parallel to the street. Only one sign shall be permitted on each property.

48.06 - Commercial signs for commercial activities permitted in R-0 and R-5 Districts, in accordance with the following:

- (1) - Size. - The sum of the sizes of the separate signs for each business, service or professional activity shall be not more than fifteen percent (15%) of the area of the front wall of the place where these functions take place.
- (2) - Illumination. - These signs may have non-intermittent illumination.
- (3) - Placement and locating. - Signs shall be affixed to the wall that is the front of the building and parallel to the street. The placement of these signs on the ground shall not be permitted, either in the premises or on the right-of-way of the street, or on buildings or parts of buildings dedicated to residential uses.

48.07 - Institutional signs in accordance with the following:

- (1) - Size. - The sum of the sizes of the signs on walls, either separately or together for each entity, shall be not more than ten percent (10%) of the area or the part of the front wall of the building that pertains

to each respective entity.

The size of signs on the ground shall not exceed thirty (30) square feet.

- (2) - Illumination. - These signs may have non-intermittent illumination.
- (3) - Placement and locating. - Signs may be placed or located on buildings or on the ground. Signs to be placed on buildings shall be affixed flatly against the front wall of the premises they are going to serve, and they must be parallel to the street. Signs to be placed on the ground shall be erected parallel to the street and their height measured from the ground level up to the highest part of the sign shall be not more than ten (10) feet. Only one sign shall be permitted on the ground of a property.

48.08 - Signs on construction works in accordance with the following:

- (1) - Size. - The sum of the sizes of the signs, separately or to or together, shall be not more than fifty (50) square feet in area.
- (2) - Illumination. - These signs may have non-intermittent illumination.
- (3) - Content. - The content of these signs may include only an indication of the works to be carried out, their financing, details concerning the works, the contractors, or the engineers and architects participating in the works. No such sign may contain commercial propaganda or announcements of any kind.

- (4) - Placement and Location. - Signs shall be placed on the ground, on the temporary buildings used for office or storage, or on the provisional fences of the construction projects. Signs that are put on the ground shall be situated parallel to the street, and their height, measured from the ground level up to the highest part of the sign, shall not be more than ten (10) feet. Signs placed on temporary buildings and on the provisional fences shall be affixed flat against these, and on the part of the wall or the section of fence that faces the street, and parallel to the street.
- (5) - Length of Time of Installation. - Signs on construction works may be installed only within a period of not more than two (2) months before the works are begun and may remain installed during the entire time that the works are in real and effective process of construction. As soon as the works are completed or stopped, the signs must be eliminated.

SECTION 49.00 - SIGNS IN COMMERCIAL DISTRICTS

49.01 - General. - In Commercial Districts, permission shall be given for the installation of the following signs provided they comply with the Provisions for Signs established in Section 47.00 of this Regulation.

49.02 - Commercial or institutional signs on walls in accordance with the following:

(1) - Size. - The sum of the sizes of the signs, separately or together, for each business, service, recreation, profession, or institutional use that is permitted in the specific district in which the appurtenance is to be placed, shall be not greater than the percentage of the front wall space of the part of the premises that it pertains to, as indicated in the following table for each specific district:

| District | Maximum Size Permitted, in Percentage of the Area of Front Wall for the Part of the Building Used by the Installation |
|----------|---|
| C-1 | 15% |
| C-2 | 20% |
| C-3 | 20% |
| C-4 | 20% |
| C-6 | 15% |

(2) - Illumination. - These signs may have non-intermittent illumination in C-1, C-2, C-4 and C-6 Districts, and intermittent illumination in C-3 Districts.

(3) - Placement and Location. -

(a) - The signs shall be fixed flatly against the front wall of the place they are going to serve,

which is a part of the front of the building and parallel to the street. For the uses that are permitted in premises that front on a street, permission shall be given to affix signs to serve these uses, with the signs fixed flat against the wall that is a part of the front of the building and parallel to the street, except that the sum of the sizes of the signs installed on this wall shall not exceed the maximum size permitted in the district.

- (b))- Permission shall be given for the placement of commercial signs affixed to the wall that corresponds to the diagonal cut on the corners of buildings situated at street intersections, provided that the sum of the signs installed on this wall shall not exceed the maximum size permitted in the district.
- (c) - Permission shall be given for the placement of signs affixed to the general body of the marquee of a commercial establishment, parallel to the street. These signs may not project out from the general body of the marquee nor from the upper level of the roof, and shall be placed at a minimum vertical distance of eight (8) feet from their lower edge down to the ground or the floor.
- (d) - Permission shall not be given for the placement

of these signs on the ground, or in the right-of-way of a street, or on buildings or parts of buildings dedicated to residential purposes, except for professional announcements, and the announcement of household occupations or the sale or rental of the premises.

49.03 - Commercial signs on the ground for businesses that operate without a building, or to call attention to the sale or rental of a lot without buildings, which sign shall not exceed in size thirty (30) square feet, parallel to the street. These signs may have nonintermittent illumination, and their height, taken from the ground level up to their highest part, shall be not greater than ten (10) feet. Only one sign to each business or other operation shall be permitted.

49.04 - Institutional signs on the ground, on lots where an institutional building is located, with a size not larger than thirty (30) square feet, parallel to the street, and their height measured from the ground level up to their highest part shall be not more than ten (10) feet. These signs may have non-intermittent illumination in C-1 and C-2 Districts and intermittent illumination in C-3 Districts. Only one sign to an institution shall be permitted.

49.05 - Commercial signs on the ground for gasoline stations or businesses of the "drive-in" type, with a maximum size of fifty (50) square feet, parallel or perpendicular to the street. These signs shall not be rotating or moving; they

shall not project out beyond the limits of the property; a separation of at least forty (40) feet shall be maintained between such signs and any side property line. Their height, measured from the ground level up to the highest part, shall not exceed twenty-five (25) feet, and they may have non intermittent illumination. Only one such sign for each gasoline or "drive-in" type of business shall be permitted.

49.06 - Commercial signs on the ground for the identification of shopping centers in C-4 Districts, in accordance with the following:

- (1) - Size. - The size of the sign to be installed shall not exceed two hundred and seventy (270) square feet.
- (2) - Content. - The content of these signs shall be limited to an indication of the name of the shopping center, and it shall contain no commercial advertising of any kind.
- (3) - Illumination. These signs may have intermittent illumination.
- (4) - Placement and Location.
 - (a) - The signs shall be installed parallel to the street. In cases in which it is proposed to set back the sign more than one hundred and sixty (160) feet from the right-of-way of a street, it shall not be required to have its axis parallel to the street, but intermittent illumination shall not be permitted..
 - (b) - These signs shall be installed on structures

designed especially for this purpose, and in conformity with the provisions of the Building Regulation (Planning Regulation No. 7). Their height, measured from the ground level up to their highest part, shall not exceed thirty (30) feet.

(c) - Only one sign shall be permitted for each shopping center.

49.07 - Commercial signs on the ground for the identification of commercial centers in C-6 Districts, in accordance with the following:

- (1) - Size. - The size of sign to be installed shall not exceed one hundred (100) square feet.
- (2) - Content. - The content of these signs shall be limited to an indication of the name of the commercial center and shall not contain commercial announcements or advertising of any kind.
- (3) - Illumination. - These signs may have non-intermittent illumination.
- (4) - Placement and Location. - These signs shall observe a minimum setback of twenty (20) feet from the structure or from any access or public promenade. Their height, measured from the ground level up to their highest part, shall not exceed twenty-five (25) feet. Only one sign shall be permitted for each commercial center, and it shall be installed parallel to the access or the public promenade on which the sign fronts. In commercial

areas that are authorized outside of the neighborhood center, the placement of these signs on the ground shall not be permitted.

49.08 - Signs on construction works, in accordance with the following:

- (1) - Size. - The sum of the sizes of the signs, separately or together, shall not be greater than fifty (50) square feet in area.
- (2) - Illumination. - The signs may have non-intermittent illumination in C-1, C-2, C-4 and C-6 Districts, and intermittent illumination in C-3 Districts.
- (3) - Content. - The content of these signs shall include only an indication of the work to be carried out, its financing, details about the works, the contractors, and the engineers and architects taking part in the work. No sign may contain a commercial advertisement or announcement of any kind.
- (4) - Placement and Location. - The signs shall be placed on the ground, on temporary buildings used for office or storage, on the provisional fences of the construction projects. The signs to be placed on the ground shall be located parallel to the street, and their height, measured from the ground level up to the highest part of the sign, shall be not greater than ten (10) feet. The signs to be placed on temporary buildings and on provisional fences shall be affixed flat against these, on the wall or part of the fence that fronts on the street and is parallel to such street.

- (5) - Period of Time of the Installation. - The signs on constructions works may be installed only with a period of not more than two (2) months before the beginning of the works, and they may remain installed during the entire time in which the work is in real and effective process of construction. As soon as the works have been completed or stopped, these signs must be eliminated.

SECTION 50.00 - SIGNS AND ANNOUNCEMENTS IN INDUSTRIAL DISTRICTS

50.01 - General. In Industrial Districts, permission shall be given for the installation of the following signs and announcements provided they comply with the Provisions concerning Signs and Announcements established in Section 47.00 of this Regulation.

50.02 - Commercial and institutional signs, or announcements on walls, in accordance with the following:

- (1) - Size. - The sum of the sizes of the signs or announcements, separately or together, for each industry, business, service, recreation, professional office, or institutional use permitted in the specific district in which the premises are situated, shall be not more than twenty percent (20%) of the area of the front wall that serves each part of the premises.
- (2) - ~~Illumination~~ - These signs or announcements may have intermittent illumination.
- (3) - Placement and Location. -
 - (a) - The signs or announcements must be affixed flat against the front wall of the part of the front of the building that pertains to the particular operation, and parallel to the street. For permitted uses in premises that do not front on the street, permission shall be given to affix signs or announcements, to serve these operations, affixed the wall that is the front of the building and which is parallel to the street, except that

the sum of the sizes of the signs or announcements installed on this wall shall not exceed the maximum permitted size in the district.

(b)- Permission shall be given for the placement of commercial or institutional signs or announcements affixed to the wall that corresponds to a diagonal cut across the corners of the building when the building is situated at the intersection of streets, provided that the sum of the sizes of the signs or announcements installed on this wall does not exceed the maximum size permitted in the district.

(c) - Permission shall be given for the placement of signs or announcements affixed to the general body of the marquee of an industrial, commercial or institutional establishment, and parallel to the street. These signs or announcements may not project beyond the general body of the marquee nor above the upper level of the roof and shall be placed at a minimum vertical distance of eight (8) feet between the lower extremity and the ground or floor.

50.03 - Commercial signs or announcements on the ground on vacant lots or parcels of land, the sum of whose sizes, separately or together, for each lot or parcel of land, shall be not more than two hundred and seventy (270) square feet or one-half ($1/2$) of one percent (1%) of the industrial lot

or land parcel. The size permitted shall be the smallest that arises from the application of the preceding provisions. These signs or announcements shall be installed parallel to the street, and their height, measured from ground level up to their highest part, shall not exceed thirty (30) feet, and they may have intermittent illumination.

50.04 - Commercial or institutional signs or announcements on the ground, in lots or land parcels where a building is situated, with a size of not more than fifty (50) square feet, provided that the combined sum of its size with those of the signs and announcements installed on the building shall not exceed twenty percent (20%) of the front wall area of the building. These signs or announcements shall be installed parallel to the street, and their height, measured from ground level up to their highest part, shall not exceed thirty (30) feet, and they may have intermittent illumination.

50.05 - Commercial signs on the ground for gasoline stations or businesses of the "drive-in" type permitted in the specific district in which the appurtenance is situated, with a maximum size of fifty (50) square feet, parallel or perpendicular to the street. These signs shall not be revolving or moving; they shall not project beyond the limits of the property; there shall be a separation of not less than forty (40) feet from any side lot line. Their height, measured from ground level up to their highest part, shall not exceed twenty-five (25) feet, and they may have intermittent illumination. Only one sign shall be permitted for each gasoline station or business of the "drive-in" type.

SECTION 51.00 - OTHER SIGNS TO BE PERMITTED IN ANY DISTRICT

51.01 - General. - Permission shall be given for the installation of the signs enumerated in this Section, in any district.

51.02 - Traffic signs that are established by the Department of Public Works and the Municipal Authorities. No traffic sign may contain commercial advertising or announcements of any kind, and it shall not be necessary to obtain permits for their installation.

51.03 - Signs indicating danger, which do not contain commercial advertising or announcements of any kind. These signs may be installed by any governmental agency or by private persons in cases of extreme emergency. They shall be maintained erect and they may be kept in place as long as the danger persists.

51.04 - Temporary signs, for a period of not more than thirty (30) days, for the purpose of calling attention to any governmental, civic, political, religious or charitable activity, or for similar purposes, in accordance with the following:

(1) - Temporary signs on the ground, with a maximum size of thirty (30) square feet, which shall be placed on land adjacent to the right-of-way of a street and parallel to the axis of the street. The height of these signs, measured from ground level up to their highest part, shall be not more than twenty (20) feet. These signs may have non-intermittent illumination.

(2) - Temporary signs on walls. When temporary signs are installed on the wall of a building, the sum of the sizes of all the signs permitted on the wall, includ-

ing the temporary signs, shall be not more than fifteen percent (15%) of the area of the wall of the building that fronts on the street, nor more than one hundred and fifty (150) square feet, whichever is the lesser. These signs must be affixed flat against the front wall of the building, parallel to the street, and may have non-intermittent illumination.

SECTION 52.00 - SAFETY OF SIGNS AND ANNOUNCEMENTS

- 52.01 - General. - Any sign or announcement which, for circumstances not foreseen by this Regulation, or even when it meets all the requirements of this Regulation, whose placement distracts attention or obstructs the view of persons driving motor vehicles on the street, or which otherwise may be a menace to public security, shall not be permitted. Among the types of objectionable signs or announcements that may be included in this classification, are those enumerated in this Section.
- 52.02 - Signs or announcements that obstruct the view of drivers of motor vehicles.
- 52.03 - Signs or announcements that have reflectors, lights or devices that emit flashes or illumination that may dazzle or affect drivers.
- 52.04 - Signs or announcements that are on the edge of a river or and arroyo [dry river where a flash flood may occur] which may be washed away by the current, obstructing the flow of water under bridges and through culverts.
- 52.05. - Signs or announcements that are situated in such a way that they project shade on the streets in a way that may be a menace to traffic safety.
- 52.06 - Signs or announcements that exhibit the form and design of an arrow, semaphores or other traffic signals.
- 52.07 - Signs or announcements that are situated on the slopes of adjacent land or on high points above the street level

from which they may become detached and blown by the wind into the street.

52.08 - Signs or announcements that contain written material that cannot be read by persons who are driving at the speeds permitted for motor vehicles.

TOPIC 16

EXCEPTIONS AND DIRECT AUTHORIZATIONS

SECTION 53.00 - EXCEPTIONS

53.01 - General Provisions concerning Exceptions. - The Board may make exceptions to the requirements of this Regulation in cases in which the literal application of the provisions would result in a prohibition or restriction that is unreasonable in the use of the appurtenance, and where it is shown that the exception would alleviate a clearly demonstrable discrimination, or where it would redound to the best interest of the community and the sector. The exceptions under these provisions shall not constitute amendments to the limitations for any district or zoning provision contained in this Regulation, and must include in each case at least one of the following special circumstances:

- (1) - The irregular shape of a lot.
- (2) - The size of a lot less than the minimum required.
- (3) - Steep topographical conditions.
- (4) - Other exceptional circumstances.

When it is considered necessary, or when there has been a petition by the interested party, public hearings shall be held, with notification to the parties.

52.02 - Special Cases. - The Board may take the action that it considers necessary on the following cases, subject to the preceding requirements, and in the following form:

- (1) - Authorizing exceptions to the requirements of this Regulation, including the construction of buildings or the uses of premises for purposes of public utility or related directly with the public interest, when this is found reasonably necessary for the public convenience and well-being.
- (2) - Authorizing exceptions to the requirements concerning population density established by this Regulations in the cases of R-5, C-2 or C-3 Districts where there exists a parcel of land that is the property of the Free Associated State of Puerto Rico whose development and improvement would be of public utility and is directly related to the public interest, and when the following conditions occur:
 - (a) - The parcel of public land to be developed borders on the lot of the project and does not form a part of the land to be used for vehicular streets.
 - (b) - The facilities to be provided on the public land do not exist in the sector nor constitute those facilities required on the basis of the private project to be constructed.
 - (c) - The facilities to be provided have the approval of the agency that has custody of the lands, and are in harmony with the best interests of the community and the sector.
 - (d) - The cost of the works or improvements to be carried out on the public lands is in harmony

and in equitable proportion with the pecuniary benefit that such an exception represents.

The exception in population density to be permitted shall be not greater than one family for each two hundred (200) square meters of the public land to be developed, except that at no time shall the increase in population density exceed or represent more than one-third ($1/3$) of the number of families that are permitted on the lot of the project.

- (3) - Authorizing exceptions to the requirements concerning population density established by this Regulation in the case of edges of lots in R-5, C-2 and C-3 Districts, affected by the development of a public project, whose development or improvement by the private entity will be of public utility and is directly related to the public interest, and when the following conditions occur:

- (a) - The strip of land to be developed forms a part of the lot of the project to be considered, does not form a part of the land to be used for vehicular streets, and is a strip that is dedicated to public use by the pertinent legal document.
- (b) - The facilities to be provided on the lands thus affected do not exist in the sector nor do not constitute those facilities that are required on the basis of the project to be constructed

on the remainder of the lot.

- (c) - The facilities to be provided have the approval of the agency that has custody of these lands in carrying out the plan of public development contemplated for the sector, and are in harmony with the best interests of the community and the sector.
- (d) - The cost of the lands, works and improvements to be carried out on the lands, is in harmony and in equitable proportion with the pecuniary benefit that such exception represents.

The exception in population density to be permitted shall not be more than one family for each two hundred (200) square meters of the parcel of land thus affected, except that at no time shall such increase in population density exceed or represent more than one-third ($1/3$) of the number of families that is permitted on the remainder of the lot.

When, in these cases, the conditions established in Clause 2 of this Subsection occur, and it is proposed as a part of the private project to develop both strips of land, the increase in population density to be permitted by the exception, on the basis of the sum of both parcels of land, may not exceed nor represent more than one-third ($1/3$) of the number of families that is permitted on the remainder of the lot.

(4) - Granting temporary permits for non-conforming uses, subject to reasonable conditions for the due protection of the public interest and well-being, provided that this does not involve the erection of permanent structures. Each permit for temporary use shall have an effective period of not more than one (1) year, extendable to a maximum of one (1) additional year.

53.03 - Conditions for Making Exceptions. - The authorized exceptions shall be subject to compliance with the conditions that are established and the other provisions of this Regulation.

53.04 - Period of Effect of the Decisions concerning Exceptions. - Any favorable decision or authorization concerning any exception to the existing regulations related to construction permits, or permits for uses or for signs, shall expire, if, within one year of its issuance, the pertinent permit for the project itself has not been obtained.

This period of effectiveness, for all legal purposes, shall be considered definitive, except that it may be extended on the petition of the interested party, when such extension is not considered contrary to the public interest, and provided that the petition for extension is submitted at least thirty (30) days before the date of the expiration of the exception decision, with an indication of the reasons for the petition and, in addition, providing along with it evidence of the progress achieved in the preparation of preliminary projects, construction plans, studies and documents that the case may require.

SECTION 54.00 - DIRECT AUTHORIZATIONS

54.01 - General Provisions concerning Direct Authorizations. -

The Board may ~~give~~ consideration to all cases which, by express provision of this Regulation, its intervention is required. The acts of the Board shall be in harmony with the general purposes and objectives of this Regulation and the Planning and Budget Law of Puerto Rico, and shall assure due protection of the public interest.

When it is considered necessary, or on the petition of the interested party, public hearings shall be held, with notification to the parties.

52.02 - ~~Special~~ Cases. - The Board may take the action that it deems necessary on the following cases, subject to the preceding provisions, and in the following form:

- (1) - Interpreting, by resolution, in cases of doubts or conflicts in the provisions of this Regulation.
- (2) - Interpreting the provisions of this Regulation where the tracing or the location of the existing streets that form a part of the Official Map, or other maps or plans that are officially approved, are in discrepancy with the order or position of those streets as they appear on the Zoning Map.
- (3) - Determining and establishing the true locations of the limits of a district, in cases of doubt or controversy.
- (4) - Modifying the extension of a district where the limits of the district divide a lot that is the property of

a single owner, according to the inscription in the Property Register on the date this Regulation goes into effect, with the necessary restrictions to maintain, insofar as possible, the original classification.

(5) - Considering and authorizing the establishment of buildings related to one principal purpose on one parcel of land, in cases of institutions or other civic, teaching, religious, charitable, recreational, industrial or other organizations or entities.

(6) - Considering and authorizing the installation of other signs not specifically covered by this Regulation, provided that their size, illumination, content, placement and location are in harmony with the purposes of this Regulation.

54.03 - Other Uses to be Permitted by the Board in Residential Districts.-

The Board may consider, in harmony with the purposes and general objectives of this Regulation, and in those residential districts that are specifically indicated in this Subsection, requests concerning the placement [of structures] and use of lands when these pertain to projects related with the uses that are indicated in the following, provided that, by means of the design, construction and operation, there is ample protection for the health, safety and well-being of the occupants of the property to be occupied or used, and of the occupants of the bordering properties,

two (2) times the size required for the district in which they are situated.

- (c) - In residential developments in which a neighborhood center is established in compliance with the provisions of the Regulation concerning Neighborhood Facilities (Planning Regulation No. 9), non-profit civic clubs may be permitted only in the said neighborhood center.
- (4) - Retail commerce in articles of consumption and ordinary household use, in R-0 Districts, provided that the maximum gross area to be dedicated to these purposes is not more than three thousand (3,000) square meters per lot.
- (5) - Medical dispensaries in any Residential District except R-0 Districts, in accordance with the following:
 - (a) - The service to be provided shall be for out-patients. The treatment of demented patients and contagious diseases shall not be permitted.
 - (b) - No commercial characteristics may be given to the building.
 - (c) - No equipment or medical instrument may be operated that will be prejudicial to the well-being of the residents of the sector.
 - (d) - In residential developments in which a neighborhood center is established in compliance with the provisions of the Regulation concerning Neighborhood Centers (Planning Regulation No. 9),

and that there will be no diminution in the provision of light and air to the building to be occupied or used, or to the neighboring properties, nor any increase in the danger of fire, nor any effect of reducing or prejudicing the values of the properties established in neighboring areas, and provided that these projects fulfill any other requirement that is considered appropriate to assure the due protection of the public interest and compliance with the other requirements established for the specific district in which it is situated. In these cases, the Board may require any other information that it decides is necessary for consideration of the project.

- (1) - Cemeteries in R-0 Districts.
- (2) - Child care centers in any Residential District except R-0 Districts.
- (3) - Non-profit civic clubs in any Residential District, on lots or parcels of land with a size not less than five hundred (500) square meters, in accordance with the following:
 - (a) - In the operation of this use, permission shall be given for carrying out those activities that are inherent in the principal permitted purpose.
 - (b) The permit that is issued for this purpose shall contain the conditions that the Board decides are necessary for protection of the health and general well-being of the neighborhood. /
 - (b) - The buildings shall have yards not less than

medical dispensaries shall be permitted only in the said neighborhood center.

(6) - Rooming houses in R-1, R-2, R-3 and R-4 Districts, in accordance with the following:

- (a) - The owner or administrator of the rooming house shall reside in the housing that forms part of this.
- (b) - Commercial characteristics shall not be given to the structure.
- (c) - The permit that is issued for this purpose shall contain the conditions that the Board decides are necessary for protection of the health and general well-being of the neighborhood.
- (d) - In residential developments in which there is a neighborhood center in compliance with the provisions of the Regulation concerning Neighborhood Facilities (Planning Regulation No. 9), rooming houses may be constructed only in said center.
- (e) - When the number of bedrooms for guests exceeds seven (7) bedrooms, the sizes of the side and rear yards shall be one and one-half (1 1/2) those required for the district. The minimum size of the lot area to be required shall be determined in accordance with the following table:

Minimum Size of Lot

| | DISTRICT | | | |
|---|----------|-----|-----|-----|
| | R-1 | R-2 | R-3 | R-4 |
| Minimum Size of Lot Area Required, in Square Meters | 900 | 540 | 300 | 250 |
| Number of Bed- Rooms for Guests Permitted on the Basis of the Mini- mum Size of Lot | 7 | 7 | 7 | 7 |
| Extra Lot Area Re- quired per Additional Bed (Square Meters) | 180 | 90 | 60 | 40 |
| Maximum Number of Bedrooms Permitted per Establishment | 10 | 10 | 15 | 15 |

(7) - Hotels in R-5 and R-6 Districts, in accordance with the following conditions, except that the construction of hotels shall not be permitted in those sectors decided upon by the Board, by a resolution to this effect, after public hearings:

(a) - A lot area shall be required, per room, of not less than twenty (20) square meters.

(b) - The width of the front, side or rear yards shall be not less than six (6) meters.

(c) - The spaces for accessory uses as a part of the building and of the accessory buildings may be situated on the part of the lot on which a principal building is permitted.

Any required yard may be used for courts

for games, swimming pools, promenades, parking areas for vehicles or similar accessory uses, when no structures are constructed that go above a level of more than one (1) meter above the ground, excepting for the towers or posts necessary for playing courts, swimming pool or lighting and ornamentation of promenades.

- (d) - Commercial characteristics may not be given to the structures.
 - (e) - When it is proposed that there be a combination of housing units and hotels in the same premises, each hotel room shall be an apartment of the 'efficiency' type for the purposes of computing the population density permitted in the district in which the premises are situated.
 - (f) - The permit that is issued for this purpose shall contain the conditions that the Board decides are necessary for protection of the health and general well-being of the neighborhood.
- (8) - Tourist hotels on lots in R-0 Districts; tourist hotels on lots in R-1 Districts situated in areas that have not been urbanized; and tourist hotels on lots in R-5 Districts, in accordance with the following, except that the construction of tourist hotels shall not be permitted in those sectors decided upon by the Board, by a resolution to that effect, after public hearings:

- (a) - Any project for a tourist hotel shall have as an integral part, and in proportion with its maximum facilities for accommodation, two or more of the following typical tourist attractions for efficient service to the guests:
- A beach development or lake with bathing facilities and other aquatic sports.
 - A swimming pool with bathing facilities or other aquatic sports.
 - Adequate facilities for the use of saddled horses and excursions.
 - Playing courts or other facilities for open-air sports.
- (b) - A lot area shall be required, per habitation, of not less than twenty-five (25) square meters in R-0 and R-1 Districts, and not less than twenty (20) square meters in R-5 Districts.
- (c) - The width of the front yard, and the side and rear yards, shall be not less than fifteen (15) meters in R-0 and R-1 Districts, and not less than six (6) meters in R-5 Districts.
- (d) - The spaces for accessory uses as a part of the building and the accessory buildings may be situated in the part of the lot in which the principal building is permitted. Any required yard may be used for playing courts, swimming pools, promenades, parking areas for vehicles

or similar uses, when there are no structures above a level of more than one (1) meter above the ground, excepting necessary towers and posts for the playing courts, swimming pools or the lighting and ornamentation of promenades.

- (e) - Commercial characteristics shall not be given to the structures.
- (f) - When it is proposed to combine housing units and tourist hotels on the same premises, in an R-5 District, each hotel room shall be an efficiency type of apartment for the purposes of computing the population density to be permitted in the district. The combination of housing units and tourist hotels shall not be permitted in R-0 and R-1 Districts.
- (g) - The permit that is issued for this purpose shall contain the conditions that the Board decides are necessary to protect the health and well-being of the neighborhood.
- (9) - Hospitals, General Medicine Hospitals, Convalescents, Homes, Sanatoriums, Institutions for the treatment of demented patients, in R-0 and R-1 Districts. Buildings to be dedicated principally to use as hospitals or sanatoriums for contagious disease or the treatment of demented persons shall be situated at no less than fifty (50) meters distance from any property line.
- (10) - Hospitals for general medicine in R-2, R-3, R-4, R-5 and

and R-6 Districts, except for the treatment of demented patients and contagious diseases.

(11) - Hospitals designed to be sound-proof, for the treatment of animals, on lots in R-0 Districts, and on lots in R-1 Districts situated in areas that have not been urbanized, provided that no animals are kept outside the building.

(12) - Teaching institutions in any Residential District, including commercial instruction of trades or industrial skills, provided that these do not constitute the predominant use, and in accordance with the following:

(a) - Permission shall be given for the construction of other buildings for related uses on the same parcel of land, provided an over-all scheme of development of the land is presented and that there is compliance with the requirements concerning minimum size of lot area established in this Regulation for each specific use. The lot area occupied by the related uses shall not be counted in determining the lot area required for teaching uses.

(b) - The minimum area of land required shall be calculated on the basis of eight (8) square meters per student.

(c) - The size of the rooms to be permitted shall be calculated on the basis of twenty (20) square

feet per student.

- (d) - Lots on which it is projected to construct buildings for teaching purposes must maintain a minimum separation of fifty (50) lineal meters from any other lot on which there is situated or already authorized the construction of a gasoline station. The minimum separation required shall be measured between the closest points on the two lots.
- (e) - The buildings shall have yards one and one-half (1 1/2) times the width of those required in the district in which the institution is situated.
- (f) - In residential developments in which there has been established a neighborhood center in compliance with the provisions of the Regulation concerning Neighborhood Facilities (Planning Regulation No. 9), teaching institutions may be permitted only in that neighborhood center.
- (13) - Philanthropic institutions with non-profit purposes or charitable institutions, in any residential district:
- (14) - Religious institutions in any residential district, in accordance with the following conditions:
 - (a) - Permission shall be given for the construction of other buildings for related uses on the same parcel of land, including the residence of the minister or priest, or the construction of teaching buildings provided that an over-all plan for the

development of the entire piece of land is presented and there is compliance with the requirements concerning minimum size of lot area established in this Regulation for each specific use. The lot area occupied by the related uses shall not count in determining the lot area required for religious purposes.

- (b) - Lots on which it is projected to construct one or more buildings for religious or teaching purposes must maintain a minimum separation of fifty (50) lineal meters from any other lot on which there is situated or already approved the construction of a gasoline station. The minimum separation required shall be measured between the closest points of the two lots.
 - (c) - The buildings shall have yards not less than one and one-half (1 1/2) times those required in the district in which they are situated.
 - (d) - In residential developments in which there has been established a neighborhood center in compliance with the provisions in the Regulation concerning Neighborhood Facilities (Planning Regulation No. 9), religious institutions shall be permitted only in the said neighborhood center.
- (15) - Airports, Heliports, Transmitting Towers, Radio and Television and Open-Air Motion Picture establishments, in R-0 Districts, and on lots in R-1 Districts situated

in areas that have not been urbanized.

- (16) - Parks and athletic field, hippodromes, velodromes and other sports installations that require extensive areas of land, on lots in R-0 Districts, and on lots in R-1 Districts situated in areas that have not been urbanized.
- (17) - The following agricultural uses or uses related to agriculture, on lots of five (5) cuerdas [the cuerda is 0.97 acre] or more in R-Districts situated in areas that have not been urbanized:
 - (a) - The raising of livestock, poultry and other animals.
 - (b) - Plants for processing or packing agricultural products harvested on the parcel of land.
 - (c) - Stands for the retail sale of products harvested on the parcel of land, provided that each post is constructed at a distance of not less than six (6) meters from the road line, that it has not more than one floor and that it does not occupy an area greater than twenty-five (25) square meters.
- (18) - Commercial facilities of a local character in R-5 Districts, in apartment house projects for two hundred (200) or more housing units, in accordance with the following:
 - (a) - The commercial facilities to be permitted shall be calculated at the rate of fifteen (15) square feet of floor space for each housing unit provided,

and these shall be located on the first floor of the apartment house closest to the neighborhood facilities required by the Regulation concerning Neighborhood Facilities (Planning Regulation No. 9).

(b) - The commercial facilities to be permitted shall be limited to the following uses: grocery stores, pharmacies, professional offices, cafeterias, soda fountains, bars, automatic laundries, bazaars, beauty salons and barber shops.

(c) - The floor space to be used for any particular use shall not exceed fifty percent (50%) of the total floor space to be permitted for the commercial facilities, and at least three (3) of the facilities for the uses indicated in the preceding clause shall be provided.

54.04 - Conditions for Making Direct Authorizations. - The direct authorizations granted shall be subject to compliance with the conditions established in the other provisions of this Regulation.

54.05 - Period of Effect of the Decisions concerning Direct Authorizations. - Any favorable decision concerning any direct authorization related to a permit for construction, use, or a sign, shall expire if, within one (1) year of the handing down of the decision, the corresponding permit has not been obtained.

This period of validity shall, for all legal purposes,

be considered definitive, except that the period may be extended on the petition of the interested party when it is not considered that such extension would be contrary to the public interest, and provided that the petition for the extension is submitted at least thirty (30) days before the date of expiration of the decision, with an indication of the reasons for the petition, and accompanying the petition, in addition, with evidence of the progress achieved with the preliminary plans, the construction plans, studies and documents that the case may require.

TOPIC 17

VARIOUS PROVISIONS

SECTION 55.00 - INTERIOR AND SEMI-INTERIOR PATIOS

- 55.01 - Interior Patios. - Any open and unoccupied space on which there open windows ~~on~~ doors, which is completely enclosed by a building or by an building and a side lot line, shall be considered to be an interior patio. Its minimum dimensions shall be three (3) meters or one-fifth of the vertical distance between the lowest level of the patio, whether this is the ground level or the level of the ~~roof of a~~ lower floor, and the maximum level of any wall, balcony or terrace that surrounds or borders on the said patio, whichever is the larger. The area of any interior patio shall not be less, at any level, than ten (10) square meters for each floor that the building has above the patio.
- 55.02 - Semi-Interior Patios. - Any open and unoccupied space on which there open windows ~~on doors~~, similar to an interior patio, except that one of its sides fronts on and opens toward a street or other open space within the same lot, shall be considered as a semi-interior patio. Its minimum dimension shall be three (3) meters or one-fifth ($1/5$) of the vertical distance between the lowest level of the patio, whether this is at ground level or the level of the roof of a lower floor, and the maximum level of any wall, balcony or terrace that surrounds or borders on the said patio, whichever is the larger.

SECTION 56.00 - PENALTY AND ESCAPE CLAUSE

56.01 - Penalty. - As provided by Law No. 213, approved May 12, 1942, and the laws amending that law, any person who violates the provisions of this Regulation and the Zoning Maps shall be guilty of a misdemeanor.

56.02 - Escape Clause. - If any word, clause, phrase, section, topic or other part of the preceding Regulation should be impugned for any reason before a court and be declared unconstitutional or null, such a judicial decision shall not affect, diminish or invalidate the remaining provisions and parts of this Regulation, but its effect shall be limited to the word, clause, phrase, section, topic or specific parts thus declared unconstitutional or null; and the nullity or invalidity of any word, clause, phrase, section, topic or part, in any case, shall not be understood to affect or prejudice in any sense the application or validity in some other case.

PLANNING REGULATION NUMBER 4
(ZONING REGULATION)

APPENDIX

Free Associated State of Puerto Rico
OFFICE OF THE GOVERNOR
PLANNING BOARD
Santurce, Puerto Rico

Resolution JP-190

DETERMINATION OF THE UNIT TO BE USED IN THE COMPUTING OF
NEIGHBORHOOD FACILITIES IN APARTMENT HOUSE PROJECTS

Under the provisions of Planning Regulation Number 9 (Regulation concerning Neighborhood Facilities), any project for residential urbanization, including apartment houses, that consists of sixty (60) or more housing units and/or lots must incorporate as a part of its development those neighborhood facilities thus established by the said regulation.

These neighborhood facilities shall be determined on the basis of the number of housing units, when apartment houses are concerned, as provided by the cited Planning Regulation No. 9. In those cases, each housing units shall be presumed to be the equivalent of one family, since it is the components of the family whom it is intended to serve with the required facilities.

In the review or basic evaluation of a residential project, including apartment houses, there will be used principally the criteria and regulatory provisions of Planning Regulation No. 4 (Zoning Regulation). The Zoning Regulation establishes the permitted population density in a particular zoning district, in a proportion of square meters of land (lot) per family. The term "family" is interpreted as equivalent to the term "housing unit". This interpretation, up to the present, has been coincidental with

the interpretation that has been given to the same terms in Planning Regulation No. 9.

However the Zoning Regulation, in considering apartment house projects, introduces the term "basic housing unit" and makes it equivalent to the term "family" in these particular cases. (See Subsections 2.42, 11.05, 12.04, 13.06, 14.05, 15.05, 18.05, 26.03 and 44.03).

This acceptance has brought up diverse interpretations with respect to the unit that shall serve as a basis for determining the neighborhood facilities ~~that must be included within~~ an apartment house project. Consequently, and with the specific purpose of clarifying any doubt that may arise in the calculation of the neighborhood facilities to be provided in a residential urbanization project, including apartment houses, this Planning Board AGREES that in the application of Planning Regulation Number 9 (Regulation concerning Neighborhood Facilities) to residential urbanization projects, including apartment houses, the term "housing unit" shall be equivalent to the term "basic housing unit" utilized in Planning Regulation Number 4 (Zoning Regulation) in those provisions of the regulation that are related to the construction of apartment houses.

PROVIDED THAT this Board reserves the authority to accept smaller extensions of land (between 40 square meters and 20 square meters per basic housing unit) than provided for in Planning Regulation Number 9 (Regulation concerning Neighborhood Facilities) for the provision of the neighborhood facilities in accordance with the characteristics and/or

special conditions of the particular project.

I CERTIFY: That the preceding is a faithful and exact copy of the resolution adopted by the Planning Board of Puerto Rico in its meeting carried out on May 17, 1972, and for notification and general use, I issue this under my signature and the seal of the Board in San Juan, Puerto Rico, on May 30, 1972.

TERESA BIAGGI LUGO

Secretary

ERMELINDA VERA

Under Secretary

Free Associated State of Puerto Rico
OFFICE OF THE GOVERNOR
PLANNING BOARD
Santurce, Puerto Rico

Resolution JP-191

INTERPRETATIONS OF PROVISIONS OF PLANNING REGULATION NO. 4
(ZONING REGULATION)

Consonant with the powers granted by Law 213 of May 12, 1942, as amended, this Planning Board of Puerto Rico adopted amendments to Planning Regulation No. 4 (Zoning Regulation), on December 26, 1968, and December 11, 1969. These were approved by the Honorable Governor of Puerto Rico, on January 7, 1970, and entered into force on February 6, 1970.

In the administration of this Regulation, as amended, there have arisen doubts concerning the interpretation of the content of some of the provisions. Consequently, for greater clarity in the application of these provisions and consonant with the provisions in Subsection 54.02, Clause 1 of Planning Regulation No. 4 (Zoning Regulation), this Planning Board of Puerto Rico INTERPRETS the content of the provisions of Planning Regulation No. 4 (Zoning Regulation) established in the following subsections:

Subsection 2.07 - Gross Floor Space

Exterior stairways at the level of the first floor, that are no higher than one (1) meter over the ground level, shall not count as gross floor space.

The ground level is the level of the specific site where the

stairway goes up to the first floor.

Subsection 2.08 - Parking Area

Parking area includes: (1) the spaces for stationing vehicles, (2) the turn-around areas and (3) the sown areas in/or on the edges of the parking spaces.

However, the sown areas shall not count in the calculation of the thirty percent (30%) maximum established in Subsection 11.13 of the Zoning Regulation.

Parking areas do not include the accesses to those areas when the said accesses are outside of the limits of the parking area, properly speaking.

Subsection 4.02 - Amendments to the Zoning Maps

The evidence that is required to support petitions for amendment to the zoning maps includes: (1) the signatures of all the property-owners included in the area which is the subject of the petition and (2) a certification ~~that attests to the fact that the~~ bordering property-owners and the owners of those properties within a distance of sixty (60) meters of the limits of the area proposed for rezoning, or at least twenty (20) ~~of the~~ properties closest to that area, have been notified of the intention to submit the proposed amendment. The said certification shall include the names and addresses of the persons notified.

Subsection 6.02 - Uses in R-0 Districts

By "products harvested on the parcel of land" it shall be understood that reference is being made to agricultural products that are produced in their natural form, directly on the lands where there is interest in establishing the stand for the sale of those products.

Meat is not a product harvested on the parcel of land in its natural form. Therefore, a meat market is not a stand for the sale of products harvested on the parcel of land.

Subsection 11.05 - Population Density in R-5 Districts

1. The width of the street to be taken into consideration for the purposes of calculating the permitted population density in the district shall be the width of the street that constitutes the direct vehicular access to the lot, independently of whether this may front on other streets of greater width.

In the case of lots with vehicular accesses to more than one street, or where the existing direct vehicular access to the lot does not constitute the direct vehicular access to be considered for serving the project, and other special cases, shall be considered by the Board on its merits, case by case.

2. The determination of the width of the street to be provided, to attain a greater population density for a lot, in the case of streets not included on an Official Map or in a Regulating Plan, depends on the discretion of the Board. In the evaluation of such proposals, the Board shall be guided by the following:

- aa) The population density that Subsection 11.05 permits shall be determined on the basis of the size of the remainder of the lot after deducting the strip which it is proposed be donated or reserved for the widening of the street, and on the width accepted

by the Board for the width of the direct vehicular access to the lot.

z In these cases, the width accepted by the Board for the street that is the direct vehicular access to the lot shall be considered to be the width of the existing street plus two (2) times the width of the strip along the edge that the Board determines to be necessary for its future widening. In no case shall proposals be accepted for the consideration of street widths greater than twenty (20) meters.

b. ~~In projects~~ In projects for construction of housing for ten (10) or more families, where there has been acceptance of the donation of a strip of land for future widening of a street where the widening works are not going to be a part of the housing project, the Board shall decide on the provisional use for the said strip of land.

c. An increase of one hundred and thirty (130) square meters in the gross floor space to be permitted, will be conceded for each basic housing unit that is permitted on the basis of the increase that is given for the strips of lands to be donated for the widening of streets.

Subsection 3.02 - Uses in C-1 Districts

Clause 17 - Rooming Houses

A rooming house is understood to mean, on the basis of

the provisions of Subsection 45.03 (6), a housing unit in which one family lives and paying guests are housed, which meets the other requirements of the Regulation. A rooming house does not mean a fraternity or sorority house.

The following criteria shall be used to permit rooming houses in C-1 Districts:

1. The owner or administrator of the house shall reside in the housing that forms a part of the rooming house.
2. The minimum size of the lot shall not be less than three hundred (300) square meters.
3. The number of bedrooms for guests shall not exceed seven (7). Nevertheless, the number of these may be increased up to a maximum of twenty-five (25) bedrooms per rooming house, at the rate of one (1) bedroom additional for each forty (40) square meters of lot area in excess of the minimum size of lot required of three hundred (300) square meters.
4. The operation of bars, cafeterias, restaurants, soda fountains or coffee houses which are permitted, shall be carried out, in accordance with the provisions for C-1 Districts, as an activity totally separate from the rooming house.

In these cases, the permit that is issued shall contain the conditions that are necessary to protect the health and well-being of the neighborhood surrounding the proposed rooming house.

Subsection 14.02 - Uses in C-2 Districts

Clause 2 - Rental of Automobiles

The following activities may be considered as accessory uses currently related with the operation of a business of renting automobiles:

1. ~~The Administrative office of the firm.~~
2. Space for parking for the vehicles of the firm, the clients and the employees of the firm.
3. Washing and greasing exclusively of the vehicles of the firm.
4. Minor repairs to the vehicles of the firm, such as brakes, spark plugs, points, condensers, lights, horns and tires, excluding specifically complicated mechanical work that require the use of specialized equipment and all work that is related to sheet metal (i.e. body work), painting or interior upholstery.

The installation of gasoline pumps as an accessory use may be authorized by this Board on the basis of an exception.

I CERTIFY: That the preceding is a faithful and exact copy of the resolution adopted by the Planning Board of Puerto Rico in its meeting carried out on May 17, 1972, and for its notification and general use, I issue this under my signature and the seal of the Board in San Juan, Puerto Rico, on May 30, 1972.

TERESA BIAGGI LUGO

Secretary

ERMELINDA VERA
Under Secretary

Free Associated State of Puerto Rico
OFFICE OF THE GOVERNOR
PLANNING BOARD
Santurce, Puerto Rico

Resolution JP-192

CLARIFYING THE USE OF THE TERMS FAMILY, HOUSING UNIT
AND BASIC HOUSING UNIT, IN RELATION TO CERTAIN PROVISIONS
OF THE ZONING REGULATION (PLANNING REGULATION NO. 4)

In the administration of the amended Zoning Regulation, which entered into force on February 6, 1970, there have arisen different opinions as to the use of the terms "family", "housing unit" and "basic housing unit" in the determination of : (1) the population density permitted and the number of required parking spaces in apartment house projects in R-3, R-4, R-5, R-6, C-1, C-2, C-3 and C-6 Districts and in projects for extensive residential developments, and (2) as to what constitutes an extensive residential development. Consequently, this Board has considered it appropriate to issue the following interpretations for each case, consonant with the provisions of Subsection 54.02, Clause 1, of the Zoning Regulation.

1 - CALCULATION OF POPULATION DENSITY FOR APARTMENT HOUSE PROJECTS

The population density to be permitted in a zoning district is determined on the basis of a proportion of square meters of land (lot) per family, in accordance with the provisions of the Zoning Regulation. With the exception of projects for apartment houses, in other cases it has always been understood and there has always been provided - for each family one housing unit, independently of the number of bedrooms included in the housing.

On the other hand, the Zoning Regulation, in considering apartment house projects, introduces the term "basic housing unit" and provides that the number of units shall not exceed the number of families permitted on the lot or specific parcel of land. (See Subsections 2.42, 11.05, 12.04, 13.06, 14.05, 15.05, 18.05, 26.03 and 44.03). The introduction of this term "basic housing unit" and the provision that this includes three (3) bedrooms, provided a convenient mechanism to foster the diversification of different types of apartments for a project by means of a relationship between the number of bedrooms per apartment and the equivalent in terms of the basic housing unit. This measure facilitates a response to a demand generated in certain sectors, in particular with respect to one or various types of apartments, without altering the population density permitted in the specific district and at the same time introduces greater flexibility for the design of apartment houses.

Considering the preceding exposition, this Planning Board MAKES THE CLARIFICATION that, in the consideration of projects that include apartment houses, to be constructed in zoning districts where these are permitted, as well as in extensive residential developments, the term "family" shall be equivalent to the term "basic housing unit" in the computation of the population density pertaining to the proposal.

2 - CALCULATION OF THE PARKING AREAS REQUIRED FOR APARTMENT HOUSES

In conformity with the Zoning Regulation, the determination of the number of parking spaces for residential uses in the different zoning districts is based in proportion to the number of housing units. With the exception of projects that include apartment houses, the term "

term "housing unit", independently of the number of bedrooms, is interpreted to be equivalent to a family, which term is used to calculate the pertinent density of a particular sector.

Upon entering into consideration of projects that include apartment houses, the Zoning Regulation (Planning Regulation No. 4), introduces the term "basic housing unit" (See Subsections 2.42, 11.05, 12.04, 13.06, 14.05, 15.05, 18.05, 26.03 and 44.03). By the provisions of the regulation itself this term is interpreted to be the equivalent of the term family and it is defined as a housing units that includes three (3) bedrooms. This interpretation and definition, combined with the description of the equivalence that is established between the number of bedrooms per apartment in terms of the basic housing unit, permits a greater distribution of housing units of different types in the apartment house projects, without altering the population density. Nevertheless, the Regulation does not clarify the augmentative effect, on the number of housing units, of this interpretation in the calculation of parking spaces required in projects that include apartment houses. This situation has caused discrepancies among technicians, persons preparing projects and promoters of projects with respect to the unit that shall serve as a basis for the determination of the parking areas to be provided for a particular project, for which reason this Board has considered it appropriate to establish the criterion to follow in these cases.

In accordance with the experience obtained in the development of apartment house projects, it has been concluded that the number of parking spaces required for a project of this nature is directly related to the housing unit independently of the number of bedrooms

these units may include in their distribution of internal space. This implies, therefore, that the parking area for these projects must be calculated on the basis of the housing units and not on the "basic housing units".

Because of all the preceding, this Planning Board MAKES THE CLARIFICATION that, in the determination of the number of parking spaces required in apartment house projects, the basis to be used shall be the housing unit.

3 - DETERMINATION OF WHAT CONSTITUTES AN EXTENSIVE RESIDENTIAL DEVELOPMENT PROJECT.

Subsection 41.01 of the Zoning Regulation establishes the conditions under which it is possible to consider a housing project as an extensive residential development. It is provided that, for this purpose, the project must include a specific number of families on the basis of the urban population census of the municipality where it is proposed to locate the project.

In conformity with the definitions that the Zoning Regulation itself offers for the terms "family" and "housing unit", it can be understood that a family corresponds to a housing unit, independently of the number of bedrooms that the housing unit may include. For this reason, it could likewise be concluded that the number of families permitted in an extensive residential project is equivalent to the number of housing units to be provided. This deduction is consistent with the various extensive residential development projects with the exception of those that include apartment houses.

In accordance with Subsection 44.03 of the Zoning Regulation, the population density in the extensive residential development project

projects is determined, taking as a base the total contents of a lot or parcel of land and on a proportion of square meters of land (lot) per family. Thus, likewise, in this Subsection, there is introduced the term "basic housing unit" which, in accordance with the regulatory definition consist of three (3) bedrooms. It is provided that this type of basic housing may be converted into a larger number of smaller units on the basis of the number of bedrooms per apartment but it is made clear that the number of basic housing units shall in no case exceed the number of families permitted on the lot or parcel of land. It can be concluded, therefore, that the term "family", in these cases, represents an equivalent to a "basic housing unit".

On the basis of the preceding exposition, this Planning Board MAKES THE CLARIFICATION, by this resolution, that, in the determination of what constitutes an extensive residential project and in questions concerning apartment houses, the term "family" shall be understood to be the equivalent of a "basic housing unit".

I CERTIFY: That the preceding is a faithful and exact copy of the resolution adopted by the Planning Board of Puerto Rico at its meeting carried out on May 17, 1972, and for its notification and general use, I issue this under my signature and the seal of the Board in San Juan, Puerto Rico, on May 30, 1972.

TERESA BIAGGI LUGO
Secretary

ERMELINDA VERA
Under Secretary

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